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ment work of the Immigration and Naturalization Service—including immigration inspections; naturalization examinations; hearings; investigations; patrol of borders; and the arrest, custody, and deportation of aliens—and exercises the powers stated in § 1.45.

§ 1.17 Central Office: The Assistant Commissioner, Adjudications Division. The Assistant Commissioner, Adjudications Division, is responsible for the adjudications work of the Immigration and Naturalization Service as provided by §§ 1.44 and 1.44a and by directives of the Commissioner.

§ 1.18 Central Office: The Assistant Commissioner, Research and Education Division. The Assistant Commissioner, Research and Education Division, supervises and directs that part of the work of the Service relating to the citizenship education program provided by section 327 (c) of the Nationality Act of 1940 (54 Stat. 1151; 8 U. S. C. 727 (c)) as implemented by Part 356 of this chapter.

§ 1.19 Central Office: The General Counsel. The General Counsel renders legal advice to the Commissioner and other officers of the Immigration and Naturalization Service and exercises powers and performs legal duties such as those stated in §§ 90.17, 60.25 (e), and 1.43 of this chapter.

2. The headnote and the introductory sentence of § 1.44 are amended to read as follows:

§ 1.44 Final authority; delegation to Assistant Commissioner, Adjudications Division. The final authority of the Attorney General or the Commissioner delegated to the Assistant Commissioner, Adjudications Division, includes determinations involving the following:

3. There is inserted between § 1.44 and § 1.45 a new section reading as follows:

§ 1.44a Delegation of other authority to Assistant Commissioner, Adjudications Division. Pursuant to the provisions of § 90.1 of this chapter, the authority of the Commissioner to determine the matters set forth in § 1.42 is, subject to the general direction of the Commissioner, delegated to the Assistant Commissioner, Adjudications Division.

4. Section 1.45 is amended to read as follows:

§ 1.45 Final authority; delegation to Assistant Commissioner, Enforcement Division. Authority generally to issue warrants of arrest and, under proper order, warrants of deportation is delegated to the Assistant Commissioner, Enforcement Division. The authority of district directors to issue warrants of arrest and orders and warrants of deportation under the provisions of Part 150 of this chapter is not thereby impaired.

This order shall become effective on the date of its publication in the FEDERAL REGISTER. The requirements of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C., Sup., 1003) relative to notice of proposed rule making and delayed effective date are inapplicable for the reason that the rules prescribed

by this order pertain solely to agency organization.

(Sec. 3 (a) (1) and (2), 60 Stat. 238; 5 U. S. C., 1002)

WATSON B. MILLER,
Commissioner,
Immigration and Naturalization.

Approved: March 30, 1948.

TOM C. CLARK,
Attorney General.

[F. R. Doc. 48-3046; Filed, Apr. 6, 1948;
8:52 a. m.]

TITLE 10—ARMY**Subtitle A—Organization, Function and Procedures of the Department of the Army****PART 1—DESCRIPTION OF CENTRAL AND FIELD AGENCIES**

Part 1, §§ 1.1 to 1.32, inclusive (10 CFR, 1946 Supp.), are rescinded and the following substituted therefor:

Sec.

- 1.1 General.
- 1.2 Headquarters, Department of the Army.
- 1.3 Assignment of functions established by statute.
- 1.4 Organization of continental United States.
- 1.5 Chief of Staff, United States Army.
- 1.6 Chief of Information.
- 1.7 Army Comptroller.
- 1.8 General Staff, United States Army.
- 1.9 Director of Personnel and Administration.
- 1.10 Director of Intelligence.
- 1.11 Director of Organization and Training.
- 1.12 Director of Logistics.
- 1.13 Director of Plans and Operations.
- 1.14 Special Staff, United States Army.
- 1.15 Public Information Division.
- 1.16 Legislative and Liaison Division.
- 1.17 Troop Information and Education Division.
- 1.18 National Guard Bureau.
- 1.19 Office of the Executive for Reserve and ROTC Affairs.
- 1.20 Office of the Inspector General.
- 1.21 Historical Division.
- 1.22 Civil Affairs Division.
- 1.23 Administrative Staffs and Services.
- 1.24 Technical Staffs and Services.
- 1.25 Office, Chief, Army Field Forces.
- 1.26 Army areas.
- 1.27 Major Command.
- 1.28 Classification and definition of installations and activities.

AUTHORITY: §§ 1.1 to 1.28, inclusive, issued under secs. 3, 12, 60 Stat. 238, 244; 5 U. S. C. 1002, 1011; E. O. 9082, Feb. 28, 1942, (7 F. R. 1609), as amended by E. O. 9722, May 13, 1946 (11 F. R. 5281).

§ 1.1 General. (a) The War Department and the Army were reorganized June 11, 1946, by authority of Executive Order 9722, May 13, 1946, which amended Executive Order 9082, dated February 28, 1942. The War Department was redesignated as the Department of the Army in accordance with sections 205 (a) and 310 (b) of the National Security Act of 1947 (Public Law 253, 80th Cong.).

(b) This part sets forth the organization of the Department of the Army. It does not change present procedures or policies, and does not change existing relationships between the Department

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of the Army and the Department of the Air Force.

(c) This organization provides, under the Chief of Staff, a General and Special Staff; Office, Chief, Army Field Forces, under a Chief, Army Field Forces, Administrative and Technical Staffs and Services under their respective heads; six army areas; the Military District of Washington; and such oversea commands as the Secretary of the Army may find necessary.

(d) The following principles have been applied in designing the organization of the Department of the Army and described in this part:

(1) A simple and flexible organization with clear-cut command channels is needed to satisfy the requirements of economy and efficiency.

(2) The top organization of the Department of the Army must be capable of carrying out the Chief of Staff's orders quickly and effectively. At the peak of this top organization is the General Staff, United States Army, which must be the agency to deal with matters of high policy and high-level planning and which must also direct and supervise, to the end that orders and directives are issued and supervised to the necessary degree in their execution.

(3) The structure of the staff organization supporting the Chief of Staff and the Deputy Chief of Staff must be as simple as possible with a minimum of individuals habitually reporting direct to the Chief of Staff or his Deputy.

(4) Adequate organizational means must be provided for carrying on the best possible research and development programs and intelligence and counterintelligence activities, and for the elimination of unnecessary overlapping of activities of the Department of the Army.

(5) The necessary degree of efficiency and vitality in the top echelons of the Department of the Army can be attained only through the aggressive application of the principle of decentralization. Thus, no functions should be performed at the staff level of the Department of the Army which can be decentralized to the office, Chief, Army Field Forces, major commands, or the Administrative and Technical Services without loss of adequate control by the General and Special Staffs.

(6) There should be a single continuous command channel from top to bottom of the Department of the Army organization.

(7) Direct contact and mutual arrangements within approved policies between major commands, staff divisions, and Administrative and Technical Staffs and Services are desirable and are authorized and encouraged.

§ 1.2 Headquarters, Department of the Army. The term "Headquarters, Department of the Army" will be used collectively to refer to the following agencies located at the seat of Government (Washington 25, D. C.): The Office of the Secretary of the Army (and his assistants); the Office of Chief of Staff, United States Army; the divisions of the General and Special Staffs, United States Army; and the offices of the heads

of the Administrative and Technical Services.

§ 1.3 Assignment of functions established by statute. (a) The functions, duties, and powers of the chiefs of the following arms are assigned to the Chief, Army Field Forces: Infantry, Cavalry, Field Artillery, and Coast Artillery Corps (except those relating to procurement, storage, and issue).

(b) The functions, duties, and powers of the Chief of Coast Artillery relating to procurement, storage, and issue are assigned to the Chief of Ordnance.

(c) The functions, duties, and powers of The Quartermaster General relating to water and commercial transportation are assigned to the Chief of Transportation. The functions, duties, and powers of The Quartermaster General relating to the procurement and supply of general purpose vehicles and for all vehicle field and base maintenance are assigned to the Chief of Ordnance.

§ 1.4 Organization of continental United States. (a) For command of all activities and installations, except class II activities and installations, the continental United States is divided as follows:

(1) *First Army Area.* Includes the States of Maine, Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, and Delaware.

(2) *Second Army Area.* Includes the States of Pennsylvania, Ohio, Indiana, Kentucky, West Virginia, Maryland, and Virginia.

(3) *Third Army Area.* Includes the States of Tennessee, North Carolina, South Carolina, Georgia, Alabama, Mississippi, and Florida.

(4) *Fourth Army Area.* Includes the States of Arkansas, Oklahoma, New Mexico, Texas, and Louisiana.

(5) *Fifth Army Area.* Includes the States of Michigan, Wisconsin, Minnesota, North Dakota, South Dakota, Wyoming, Nebraska, Iowa, Illinois, Missouri, Kansas, and Colorado.

(6) *Sixth Army Area.* Includes the States of Montana, Idaho, Washington, Oregon, California, Nevada, Utah, and Arizona.

(7) *Military District of Washington.* Includes the District of Columbia and such adjacent territory as may be prescribed from time to time.

(b) All functions of command (except with respect to class II activities and installations) within these areas are assigned as follows:

(1) Commanding General, First Army—First Army Area.

(2) Commanding General, Second Army—Second Army Area.

(3) Commanding General, Third Army—Third Army Area.

(4) Commanding General, Fourth Army—Fourth Army Area.

(5) Commanding General, Fifth Army—Fifth Army Area.

(6) Commanding General, Sixth Army—Sixth Army Area.

(7) Commanding General, Military District of Washington—Military District of Washington.

(c) Army headquarters are located as follows:

(1) Headquarters, First Army—Fort Jay, Governors Island, New York.

(2) Headquarters, Second Army—Fort Meade, Maryland.

(3) Headquarters, Third Army—Fort McPherson, Atlanta, Georgia.

(4) Headquarters, Fourth Army—Fort Sam Houston, San Antonio, Texas.

(5) Headquarters, Fifth Army—Chicago, Illinois.

(6) Headquarters, Sixth Army—Presidio of San Francisco, California.

(7) Headquarters, Military District of Washington—The Pentagon, Washington 25, D. C.

§ 1.5 Chief of Staff, United States Army. The Chief of Staff is the principal Army adviser to the President, to the Secretary of Defense, and to the Secretary of the Army on the conduct of war and the principal military adviser and executive to the Secretary of the Army on the military activities of the Department of the Army. The Chief of Staff has command of all components of the Army of the United States and of the operating forces comprising the army areas. He also commands the Army component of oversea commands, and the related supply and service establishments of the Army, and is responsible to the Secretary of the Army for their use in war and plans and preparations for their readiness for war. The Chief of Staff, under the direction of the Secretary of the Army, is responsible for the coordination and direction of the General and Special Staffs and the Administrative and Technical Services.

§ 1.6 Chief of Information. The Chief of Information advises the Secretary of the Army and the Chief of Staff on matters of policy relating to public understanding and support of the Army, and under the direction of the Deputy Chief of Staff is responsible for staff supervision and coordination throughout the Department of the Army in the information and education field, both at home and abroad. He coordinates the information policies and programs of the Army, and as necessary in the performance of his mission exercises supervision over the functioning of the Public Information Division, the Legislative and Liaison Division, and the Troop Information and Education Division, Special Staff, United States Army.

§ 1.7 Army Comptroller. (a) The personnel and functions of the Budget Division and the Manpower Board, Special Staff, United States Army, and of the Central Statistical Office and the Management Office, Office of the Chief of Staff, are transferred to the Office of the Army Comptroller.

(b) The Army Comptroller shall serve, either personally or through designated representatives, as he may elect, as the Budget Officer (sec. 214, Budget and Accounting Act of 1921 (42 Stat. 23; 31 U. S. C. 22)), Fiscal Director, and Management Engineer for the Department of the Army. As such he formulates, coordinates, and supervises those matters pertaining to budget, fiscal, statistical, and management engineering activities of the Department of the Army. His duties include:

(1) Development of a plan for the business management of the Department

of the Army and the presentation of periodic reports thereon to the Chief of Staff.

(2) (i) Preparation of plans and procedures for, and exercise of general supervision and control over, all budgetary matters of the Department of the Army, under policies established by the Chief of Staff.

(ii) Preparation of military and civil budget estimates of the Department of the Army (sec. 214, Budget and Accounting Act of 1921).

(3) Development of systems and procedures for utilization throughout the Army of accounting and auditing for purposes of control of operations and costs.

(4) Formulation, coordination, and general supervision of basic fiscal policy for the Department of the Army.

(5) Establishment and supervision of Department of the Army fiscal policy with respect to international monetary matters and the use of foreign exchange by the Army overseas.

(6) Continuing survey and development of a Department of the Army cost analysis, reporting, and control system.

(7) Continuing survey of the effective utilization of manpower in its relationship to appropriations and to economy.

(8) Continuing survey of the Department of the Army's organization, methods, and procedures in the interest of efficiency and economy.

(9) Coordination of the collection, analysis, and presentation of statistical data, including progress reports.

§ 1.8 General Staff, United States Army. The General Staff, United States Army, under the direction of the Chief of Staff, will be responsible for the development of the Army and will insure the existence of a well-balanced and efficient military team. It is specifically charged with the duty of providing such broad basic policies and plans as will enable the Chief, Army Field Forces; commanding generals, army areas and oversea commands; and the heads of the Administrative and Technical Services to prepare and execute detailed programs. In addition, the General Staff assists the Chief of Staff by issuing, in the name of the Secretary of the Army and the Chief of Staff, necessary directives to implement such plans and policies, and supervises the execution of these directives. In performing its duties the General Staff follows the principle of decentralization to the fullest degree. No function will be performed at the General or Special Staff level of the Department of the Army which can be decentralized to the major commands of the Administrative and Technical Services without loss of adequate control of operations by the General and Special Staffs. The General Staff will include five divisions, each under the immediate control of a director. Each director will plan, direct, and supervise the execution of operations within the confines of his sphere of action. In carrying out their duties, the directors of the five General Staff divisions will be guided by the following general principles:

(a) They will plan, direct, coordinate, and supervise. They will assist the Chief

of Staff in getting things done, in addition to coordinating, planning, and policy-making on an Army-wide level.

(b) They will, by means of direct contact with troops, determine that orders, instructions, and directions are being carried out as the Chief of Staff intended.

(c) They will follow the principle of decentralization to the fullest degree. The General Staff will concern itself primarily only with matters which must be considered on a Department of the Army or Army-wide level. All other matters will be decentralized down to the proper echelons of command for action or decision. In order for this to be done properly, adequate authority will be delegated to responsible commanders and the heads of the Administrative and Technical Services. Each director will take necessary action to indoctrinate each officer of his division with a thorough understanding of the duties, functions, responsibility, and authority of the various echelons of command in the Army.

(d) They must act to minimize duplication. While observing the principle of decentralization, all General Staff directors will take appropriate action to minimize duplication and overlapping between the commands and services. The only workable procedure for removing and preventing duplications lies in the good faith and friendly collaboration of using commands and services, under the monitorship of the appropriate General Staff director.

§ 1.9 Director of Personnel and Administration. The Director of Personnel and Administration, General Staff, United States Army, is the military personnel manager of the Department of the Army. He has the primary General Staff interest in manpower. He is the adviser to and assistant to the Chief of Staff for administrative matters and for matters relating to manpower as a whole and to military personnel as individuals throughout the Army. He has over-all Department of the Army responsibility for the procurement, allocation, and reallocation of personnel in bulk in accordance with established requirements and priorities, and for the separation of individuals from the military service. He exercises General Staff supervision and direction of the Army Safety Program.

§ 1.10 Director of Intelligence. The Director of Intelligence, General Staff, United States Army, is the responsible Department of the Army instrumentality for the collection and evaluation of information and for the dissemination of intelligence pertaining to foreign countries, their war potential and military forces. He is responsible for the procurement of information and intelligence relating to the activities of individuals or agencies potentially or actually dangerous to the preservation of the military establishment within the zone of interior, for executing counterintelligence measures, and for the collection within the zone of interior of foreign positive intelligence. He is responsible for meeting intelligence requirements of continental and oversea commands, and the Administrative and Technical Services. As intelligence is a vital function of command,

the commanding generals of the major commands and their subordinate units must have intelligence agencies adequate to meet their intelligence requirements. Operating under general coordination of the Department of the Army, all intelligence agencies must mutually support and collaborate with each other to form a team serving their own, subordinate, and higher echelons. The Director of Intelligence is responsible for representing the Department of the Army on intelligence and counterintelligence matters with other Departments of the Government and with foreign governments.

§ 1.11 Director of Organization and Training. The Director of Organization and Training, General Staff, United States Army, exercises General Staff direction of the organization, mobilization, demobilization, and training of all components of the Army of the United States. Except for individual training, he is primarily concerned with matters relating to units as distinguished from the primary interest of the Director of Personnel and Administration in matters relating to individuals.

§ 1.12 Director of Logistics. The Director of Logistics, General Staff, United States Army, is the adviser to the Secretary of the Army and the Chief of Staff on all service, supply, and research and development matters, and to the Assistant Secretary of the Army on procurement and related industrial matters. He has General Staff responsibility for logistical planning; service activities; supply control; distribution, storage, and maintenance of supplies; purchasing; production and other industrial matters; disposal of surplus property, initiation, allocation, coordination, and progress of research and development programs; conduct of research and development activities in consonance with user interest; and for the development of Army service, supply, procurement, research and development plans, policies, objectives, and programs in consonance with Army-wide plans, policies, objectives, and programs.

§ 1.13 Director of Plans and Operations. The Director of Plans and Operations, General Staff, United States Army, is responsible for the formulation, development, direction, supervision, and coordination of strategic and operational plans, current and future, for the Army. He exercises General Staff supervision and direction of strategic and operational matters relating to oversea and major commands, including activities concerning locations and armament of coast and land fortifications and of emergency plans and operations for the use of Army troops in domestic disturbances; exercises supervision and coordination of all Department of the Army civil defense planning and general supervision of Army psychological warfare activities. Without vitiating the primary interests of other General Staff directors in their respective fields of responsibility, he coordinates all policies and directives and changes thereto, including allocation of resources, affecting strategic, operational, and political matters relating to oversea and major commands. He esti-

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mates the current situation to determine military policy, objectives, and major elements of requirements and means. He provides representation on various boards and committees concerned with strategic and operational planning. As Senior Army Planner, he supervises and coordinates the war planning activities of the General Staff directors and the major commands, and furnishes guidance on current and future plans and operations. He develops and keeps current and future operational plans involving the Army in conjunction with appropriate joint agencies. He reviews and recommends action to the Chief of Staff on joint and combined papers and initiates Department of the Army execution of approved papers of joint and combined agencies, the State-Army-Navy-Air Coordinating Committee, the Air Coordinating Committee, and other similar agencies.

§ 1.14 Special Staff, United States Army. The following divisions, because of their fields of activity, report direct to the Deputy Chief of Staff and are designated as Special Staff divisions:

- (a) Public Information Division.
- (b) Legislative and Liaison Division.
- (c) Troop Information and Education Division.
- (d) National Guard Bureau.
- (e) Executive for Reserve and ROTC Affairs.
- (f) Office of the Inspector General.
- (g) Historical Division.
- (h) Civil Affairs Division.

§ 1.15 Public Information Division. The Chief, Public Information Division, Special Staff, United States Army, coordinates, processes, and releases all Department of the Army announcements of public interest, including photographs and motion pictures, to news-gathering agencies, radio stations and networks, film producers, and other public and private organizations in the field of public information; supervises Department of the Army contacts with these agencies; and assists outside writers by gathering material and arranging interviews with officials within and outside the Department of the Army.

§ 1.16 Legislative and Liaison Division. The Chief, Legislative and Liaison Division, Special Staff, United States Army, formulates, coordinates, and accomplishes the Department of the Army legislative program, except appropriations bills; participates in official Department of the Army contacts with the Congress and its individual members, except in matters pertaining to appropriations; and coordinates contacts of other Department of the Army agencies with the Congress.

§ 1.17 Troop Information and Education Division. The Chief, Troop Information and Education Division, Special Staff, United States Army, is charged with developing basic plans and policies for information and education activities for military personnel. He supervises the execution of information and education programs, but in so doing does not engage in operations or administrative duties where an agency exists for that purpose.

§ 1.18 National Guard Bureau. The National Guard Bureau, Special Staff, United States Army, is the agency through which the Department of the Army maintains relations with the National Guard in the forty-eight States, the District of Columbia, Hawaii, Alaska, and Puerto Rico, and is charged with the administration of approved Department of the Army policies, other than those relative to training, for the National Guard not in the service of the United States, and the promulgation of Department of the Army directives and regulations applicable to the National Guard, including those relating to training.

§ 1.19 Office of the Executive for Reserve and ROTC Affairs. The Executive for Reserve and ROTC Affairs, Special Staff, United States Army, advises and assists the Chief of Staff in the exercise of his supervision and control of the Organized Reserves and the Reserve Officers' Training Corps, including liaison therewith, and in keeping the Secretary of the Army informed on Reserve and ROTC affairs. He is responsible for maintaining close contact, mutual understanding, and effective cooperation between the Department of the Army and the Reserve component and ROTC, and for necessary staff functions involved in this mission, except those functions assigned to other agencies of the Department of the Army.

§ 1.20 Office of The Inspector General. The Office of The Inspector General, Special Staff, United States Army, is charged with inquiring into and reporting upon matters which affect the efficiency and economy of the Army of the United States, and with making such inspections, investigations, surveys, and studies as may be prescribed by law or regulations, or as may be directed by the Secretary of the Army, Under Secretary of the Army, the Assistant Secretaries of the Army, or the Chief of Staff.

§ 1.21 Historical Division. The Chief Historical Division, Special Staff, United States Army, is responsible for preparing plans and policies and for exercising supervision and direction throughout the Department of the Army for historical activities other than current reports.

§ 1.22 Civil Affairs Division. The Chief, Civil Affairs Division, Special Staff, United States Army, formulates policy, prepares plans, and takes action in coordination with other Department of the Army agencies, other agencies of the Government, and international or voluntary relief and welfare agencies on civil affairs, military government matters, including war crimes, and excluding those functions which are the responsibility of the Food Administrator for Occupied Areas in the Office of the Under Secretary of the Army. He insures that the Secretary of the Army, the Under Secretary of the Army, the Chief of Staff, and interested staff divisions are properly advised on civil affairs/military government matters.

§ 1.23 Administrative Staffs and Services. (a) The Administrative Services are as follows:

- (1) Adjutant General's Department.

(2) Judge Advocate General's Department.

(3) Corps of Chaplains.

(4) Office of the Provost Marshal General.

(5) Office, Chief of Special Services.

(b) The heads of the Administrative Services are also Administrative Staff officers of Headquarters, Department of the Army. As such, they function according to the principles referred to in § 1.24 (b). The General and Special Staffs will decentralize appropriate functions to the Administrative Services to the maximum extent practicable. Direct communication and instruction between the appropriate staff divisions and the Administrative Services is directed as provided in § 1.24 (c).

(c) The Administrative Services are supervised and coordinated in their activities relating to personnel and administration by the Director of Personnel and Administration, except that with respect to courts martial and certain legal matters the Judge Advocate General reports direct to the Secretary of the Army or the Assistant Secretary of the Army. Activities of the above services, other than those connected with personnel and administration, are, with the exception mentioned above, under the supervision and coordination of appropriate staff divisions and direct communication for the purpose is authorized. These arrangements are not intended to preclude the furnishing of services and advice to other agencies of the Department of the Army. Such procedure is authorized and encouraged.

§ 1.24 Technical Staffs and Services.

(a) The Technical Services are as follows:

- (1) Ordnance Department.
- (2) Signal Corps.
- (3) Quartermaster Corps.
- (4) Corps of Engineers.
- (5) Transportation Corps.
- (6) Medical Department.
- (7) Chemical Corps.
- (8) Finance Department.

(b) (1) The heads of the Technical Services are also Technical Staff officers of Headquarters, Department of the Army. As such their general functions include:

(i) Technical and administrative advice and recommendations to the Secretary of the Army, the Chief of Staff, and the General and Special Staffs.

(ii) Preparation of plans, estimates, and orders, in order to relieve these staffs of routine duties.

(iii) Coordination with these staffs of their operational, administrative, and technical plans and activities.

(2) In their capacities as heads of Technical Services, they are commanders of troops, activities, or installations assigned to their control, and heads of technical and supply services, and as such have the usual functions of command or control over troops, activities, installations, or services. These two functions of staff and command, although vested in a single individual, are separate and distinct in that each involves different responsibilities and duties, and the exercise of one is not to

be confused with nor permitted to interfere with the exercise of the other.

(c) The Technical Services are supervised and coordinated in their activities relating to service, supply, and procurement by the Director of Logistics. All other activities of the Technical Services are supervised and coordinated by the appropriate staff divisions in accordance with the principles governing the relationship between General Staff and Technical Staff. The General and Special Staffs will decentralize appropriate functions to the Technical Services, to the maximum extent practicable. Direct communication and instruction between the appropriate staff divisions and the Technical Services is directed as follows:

(1) Personnel and administration—Personnel and Administration Division.
 (2) Intelligence—Intelligence Division.
 (3) Training of supply and technical troops under their command and the operation of schools for the training of officers and of technical specialists for the Army as a whole, and organizational matters pertaining to the Technical Services—Organization and Training Division.
 (4) Technical aspects of operational and strategic plans and of operations—Plans and Operations Division.

(5) Service, Supply, and Procurement activities—Logistics Division.

(6) Research and development—Logistics Division.

(7) Budgetary activities—Army Comptroller.

(8) Public Information—Public Information Division.

(9) Legislative matters (other than appropriations)—Legislative and Liaison Division.

(10) Information and education for military personnel at all activities and installations under their control, including supply of material—Troop Information and Education Division.

(d) Directions or instructions will be issued to subordinate commands of the major commands through appropriate channels of command and not directly from one technical staff officer to the corresponding staff officer in the subordinate command. However, the duties of the heads of the Technical Services, acting in their capacities as Technical Staff officers of Headquarters, Department of the Army, will include such Army-wide technical supervision and inspections of activities as the Chief of Staff may prescribe.

§ 1.25 Office, Chief, Army Field Forces.
 (a) The Office, Chief, Army Field Forces, is the field operating agency of the Department of the Army, within the continental United States, for the general supervision, coordination, and inspection of all matters pertaining to the training of all individuals and units utilized in a field army. The Chief, Army Field Forces, will execute such other functions and responsibilities as directed by Headquarters, Department of the Army. Specifically the Chief, Army Field Forces, under directives issued by Headquarters, Department of the Army, will:

(1) Develop the organization, composition, equipment, and training of Army combat service and administrative units (including those of the Organized Reserve Corps and the Reserve Officers' Training Corps) utilized in a field army.

(2) Supervise, coordinate, and inspect the training of all individuals and units utilized in a field army.

(3) Supervise the training and inspection of all Army units of the National Guard.

(4) Develop and prepare doctrine pertaining to the tactical and technical employment of individuals and units utilized in a field army, and to the material and equipment necessary in the performance of their missions.

(5) Supervise and coordinate the preparation of all literature pertaining to the training of individuals and units utilized in a field army.

(6) Supervise and coordinate at all schools all aspects of training affecting the field armies.

(7) Supervise such boards as are necessary to insure continued research and development of items of equipment in which units assigned to a field army have a primary interest, and initiate requirements for these items.

(8) Supervise and coordinate the training of the National Security Training Program.

(9) Make recommendations concerning allotments for organization of military and civilian overhead necessary for training.

(10) Conduct public relations involving the duties and missions with which the Chief, Army Field Forces, is charged.

(11) Coordinate the preparation of funds necessary to insure the fulfilment of assigned functions and responsibilities.

(b) The Chief, Army Field Forces, is authorized to communicate directly with all schools and activities under Army command on matters concerning the execution of his functions and responsibilities. He is further authorized to issue such instructions as are necessary to insure the execution of his functions and responsibilities. The Chief, Army Field Forces, is authorized to communicate with schools and activities assigned to the Administrative and Technical Services through the chiefs of the service concerned.

(c) The closest collaboration and coordination between the Chief, Army Field Forces, and the heads of the Administrative and Technical Services, will be exercised in all matters of joint interest.

§ 1.26 Army areas. The commanding general of each of the armies and of the Military District of Washington commands all class I installations within the army areas or the Military District of Washington. The commanding general of each of these armies is responsible for the operations, training, administration, services, and supply of all units, posts, camps, stations, and installations of his command. He is responsible for certain functions at class II activities or installations.

§ 1.27 Major command. The term "major command" will include:

(a) All armies, zone of interior.

(b) Military District of Washington.
 (c) Oversea commands directly under Headquarters, Department of the Army.

§ 1.28 Classification and definition of installations and activities. Installations, subinstallations, and activities are defined as follows:

(a) **Installation.** An installation is real estate and the improvements thereon, which is under the control of the Department of the Army and at which functions of the Department of the Army are carried on, and which has been established by order of Headquarters, Department of the Army. Real estate and the improvements thereon utilized by posts, camps, airfields, hospitals, depots, arsenals, industrial facilities, cemeteries, etc., will generally be designated as an installation where located separately, but where located contiguously or on the same reservation, the combined property will usually be designated as one installation and the separate functions will be designated as activities at that installation.

(b) **Subinstallation.** A subinstallation is real estate and the improvements thereon, which is under the control of the Department of the Army and at which functions of the Department of the Army are carried on and which has been assigned as a subinstallation by Headquarters, Department of the Army, authority. Subinstallations are attached to installations for command and administration purposes although they are located separately. Generally, subinstallations will be interpreted to include the following:

(1) Subinstallations of ports of embarkation.
 (2) Harbor defense subposts.
 (3) Subdepots.

(c) **Categories of installations.** The two main categories of installations are:

(1) **Command installation.** Any installation of the Department of the Army, including nonmanufacturing arsenals, primarily used or useful for activities of the Army other than for the production of material, munitions, or supplies.

(2) **Industrial installation.** Any installation of the Department of the Army primarily used in connection with production of material, munitions, or supplies.

(d) **Classification of installations.** Installations are classified as class I and II, depending upon command jurisdiction, as follows:

(1) Class I installations are under the command of the commanding general of an army or the Military District of Washington.

(2) Class III installations are under the command of the head of an Administrative or Technical Service or other Headquarters, Department of the Army, agency.

(e) **Activity.** An activity is a function of a group of related functions which may be carried on at an installation, a subinstallation, or at a separate location which has not been designated as a Department of the Army installation or subinstallation.

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(f) *Categories of activities.* The two main categories of activities are:

(1) Major activities, such as general hospital or depots, which are located at installations with other activities.

(2) Minor activities, which by comparison with major activities are minor in scope, such as quartermaster sales commissaries or ordnance shops which may be located on or off an installation.

(g) *Classification of activities.* An activity may have the same classification as the installation on which located as listed in paragraph (e) of this section or an activity may have a different classification, depending on the agency having jurisdiction over the primary function of the activity.

[Circ. 64, Dept. of the Army, Mar. 10, 1948]

[SEAL] EDWARD F. WITSELL,
Major General,
The Adjutant General.

[F. R. Doc. 48-3041; Filed, Apr. 6, 1948;
8:52 a. m.]

Chapter I—Aid of Civil Authorities and Public Relations

PART 107—MANUFACTURE OF DECORATIONS

MISCELLANEOUS AMENDMENTS

1. In §§ 107.3 and 107.5, wherever the words "The Adjutant General" appear, substitute the words "The Quartermaster General" in place thereof.

[C 1, AR 600-90, Mar. 18, 1948] (42 Stat. 1286, as amended by 45 Stat. 437; 10 U. S. C. 1425; 47 Stat. 342, as amended by 52 Stat. 752; 18 U. S. C. 76a, 76b)

2. Sections 107.36 to 107.41, inclusive, are rescinded, and a new § 107.36 is prescribed as follows:

§ 107.36 Manufacture and sale—(a) Certificate of authority. See §§ 107.1 to 107.8, inclusive.

(b) *Issue.* There is no authority of law whereby the Government may manufacture, issue, or sell service flags. [C 6, AR 260-10, Aug. 15, 1946] (42 Stat. 1286, as amended, 45 Stat. 437, 47 Stat. 342, as amended, 52 Stat. 752; 10 U. S. C. 1425, 18 U. S. C. 76a, 76b)

[SEAL] EDWARD F. WITSELL,
Major General,
The Adjutant General.

[F. R. Doc. 48-3040; Filed, Apr. 6, 1948;
8:52 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Civil Air Regs., Amdt. 41-18]

PART 41—CERTIFICATION AND OPERATION RULES FOR SCHEDULED AIR CARRIER OPERATIONS OUTSIDE THE CONTINENTAL LIMITS OF THE UNITED STATES

EXTENSION OF DATE FOR COMPLIANCE WITH FIRE PREVENTION REGULATIONS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 31st day of March 1948.

In September 1946 the Civil Aeronautics Board adopted amendments of Parts 04a, 04b, 41, 42, and 61 of the Civil Air Regulations relating to fire prevention which required modifications of all new transport category airplanes and of all other airplanes used in passenger air carrier service utilizing engines rated at more than 600 h. p. (each) for maximum continuous operation. These modifications were designed to eliminate in so far as possible the conditions which had become evident as being conducive to fire in flight. At the time of adoption of the amendments, the Board, after consultations with the affected portions of the aviation industry, established January 1, 1948, as the date for full compliance with these regulations.

Shortly after adopting the fire prevention amendments it became apparent that full compliance by some operators might be delayed due to the extensive preparatory studies necessary to accomplish the required engineering changes and because of shortages of necessary parts. In order to lessen the burden imposed upon the air carriers by the new regulations, the Board adopted Special Civil Air Regulations Serial Numbers 385, 390, 390-A, and 390-B which made the time of compliance more flexible and which extended the ultimate date of compliance until May 1, 1948.

Although a great majority of airplanes in scheduled service and some airplanes in nonscheduled service will be modified as required by May 1, 1948, it now appears that there will be some airplanes which will not be fully modified by that date. The Board has considered the action taken by the operators to comply with the pertinent regulations and finds that in general the operators have made a conscientious effort to obtain the necessary parts and to perform the required modifications on time. However, in many instances sufficient parts were not available, and the operators were, therefore, delayed in their efforts to meet the effective date for full compliance.

The Civil Aeronautics Board finds that at least one certificated air carrier and several irregular air carriers have not been able to secure all of the items needed to complete the modifications required by the amendments previously referred to, and that failure to extend the date for full compliance with these regulations would seriously interfere with air transportation. For this reason the Board considers it in the public interest to authorize an additional period of six months, but it contemplates no further extension beyond that time.

In order to simplify the outstanding regulations on this matter, the Board is revoking Special Civil Air Regulations Serial Numbers 385, 390, 390-A, and 390-B and is incorporating the pertinent parts of the regulations in this amendment.

For the reasons stated above notice and public procedure hereon are unnecessary.

In consideration of the foregoing the Civil Aeronautics Board hereby:

1. Amends Part 41 of the Civil Air Regulations (14 CFR, Part 41, as amended) effective May 1, 1948:

(a) By amending § 41.20 (f) (2) and (3) by substituting the date "November 1, 1948" for "May 1, 1948."

(b) By adding the following proviso at the end of the first paragraph of § 41.20 (f) following the word "regulations": "Provided, That compliance with the provisions of this section shall not be required in those instances where the air carrier notifies the Administrator and shows that there exists a lack of equipment or parts necessary for compliance with specific provisions contained in this section. However, when such equipment or parts become available the air carrier shall comply with the pertinent provisions as soon thereafter as practicable. This proviso and the privileges granted thereby shall not be effective after November 1, 1948."

2. Revokes Special Civil Air Regulations Serial Numbers 385, 390, 390-A, and 390-B.

(Secs. 205 (a), 601, 604, 52 Stat. 984, 1007, 1010; 49 U. S. C. 425 (a), 551, 554)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 48-3065; Filed, Apr. 6, 1948;
8:57 a. m.]

[Civil Air Regs. Amdt. 42-8]

PART 42—NONSCHEDULED AIR CARRIER CERTIFICATION AND OPERATION RULES

EXTENSION OF DATE FOR COMPLIANCE WITH FIRE PREVENTION REGULATIONS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 31st day of March 1948.

In September 1946 the Civil Aeronautics Board adopted amendments of Parts 04a, 04b, 41, 42, and 61 of the Civil Air Regulations relating to fire prevention which required modifications of all new transport category airplanes and of all other airplanes used in passenger air carrier service utilizing engines rated at more than 600 h. p. (each) for maximum continuous operation. These modifications were designed to eliminate in so far as possible the conditions which had become evident as being conducive to fire in flight. At the time of adoption of the amendments, the Board, after consultations with the affected portions of the aviation industry, established January 1, 1948, as the date for full compliance with these regulations.

Shortly after adopting the fire prevention amendments it became apparent that full compliance by some operators might be delayed due to the extensive preparatory studies necessary to accomplish the required engineering changes and because of shortages of necessary parts. In order to lessen the burden imposed upon the air carriers by the new regulations, the Board adopted Special Civil Air Regulations Serial Numbers 385, 390, 390-A, and 390-B which made the time of compliance more flexible and which extended the ultimate date of compliance until May 1, 1948.

Although a great majority of airplanes in scheduled service and some airplanes in nonscheduled service will be modified as required by May 1, 1948, it now appears that there will be some airplanes which will not be fully modified by that date. The Board has considered the action taken by the operators to comply with the pertinent regulations and finds that in general the operators have made a conscientious effort to obtain the necessary parts and to perform the required modifications on time. However, in many instances sufficient parts were not available, and the operators were, therefore, delayed in their efforts to meet the effective date for full compliance.

The Civil Aeronautics Board finds that at least one certificated air carrier and several irregular air carriers have not been able to secure all of the items needed to complete the modifications required by the amendments previously referred to, and that failure to extend the date for full compliance with these regulations would seriously interfere with air transportation. For this reason the Board considers it in the public interest to authorize an additional period of six months, but it contemplates no further extension beyond that time.

In order to simplify the outstanding regulations on this matter, the Board is revoking Special Civil Air Regulations Serial Numbers 385, 390, 390-A, and 390-B and is incorporating the pertinent parts of the regulations in this amendment.

For the reasons stated above notice and public procedure hereon are unnecessary.

In consideration of the foregoing the Civil Aeronautics Board hereby amends Part 42 of the Civil Air Regulations (14 CFR, Part 42, as amended) effective May 1, 1948:

1. By amending § 42.10 (b) and (c) by substituting the date "November 1, 1948" for "May 1, 1948."

2. By adding the following proviso at the end of the second paragraph of § 42.10 following the word "regulations": "*Provided*, That compliance with the provisions of this section shall not be required in those instances where the air carrier notifies the Administrator and shows that there exists a lack of equipment or parts necessary for compliance with specific provisions contained in this section. However, when such equipment or parts become available the air carrier shall comply with the pertinent provisions as soon thereafter as practicable. This proviso and the privileges granted thereby shall not be effective after November 1, 1948."

(Secs. 205 (a), 601, 604, 52 Stat. 984, 1007, 1010; 49 U. S. C. 425 (a), 551, 554)

NOTE: Special Civil Air Regulations Serial Numbers 385, 390, 390-A, and 390-B were revoked by Civil Air Regulations Amendment 41-18, effective May 1, 1948, *supra*.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 48-3068; Filed, Apr. 6, 1948;
8:57 a. m.]

[Civil Air Regs. Amdt. 61-18]

PART 61—SCHEDULED AIR CARRIER RULES EXTENSION OF DATE FOR COMPLIANCE WITH FIRE PREVENTION REGULATIONS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 31st day of March 1948.

In September 1946 the Civil Aeronautics Board adopted amendments of Parts 04a, 04b, 41, 42, and 61 of the Civil Air Regulations relating to fire prevention which required modifications of all new transport category airplanes and of all other airplanes used in passenger air carrier service utilizing engines rated at more than 600 h. p. (each) for maximum continuous operation. These modifications were designed to eliminate in so far as possible the conditions which had become evident as being conducive to fire in flight. At the time of adoption of the amendments, the Board, after consultations with the affected portions of the aviation industry, established January 1, 1948, as the date for full compliance with these regulations.

Shortly after adopting the fire prevention amendments it became apparent that full compliance by some operators might be delayed due to the extensive preparatory studies necessary to accomplish the required engineering changes and because of shortages of necessary parts. In order to lessen the burden imposed upon the air carriers by the new regulations, the Board adopted Special Civil Air Regulations Serial Numbers 385, 390, 390-A, and 390-B which made the time of compliance more flexible and which extended the ultimate date of compliance until May 1, 1948.

Although a great majority of airplanes in scheduled service and some airplanes in nonscheduled service will be modified as required by May 1, 1948, it now appears that there will be some airplanes which will not be fully modified by that date. The Board has considered the action taken by the operators to comply with the pertinent regulations and finds that in general the operators have made a conscientious effort to obtain the necessary parts and to perform the required modifications on time. However, in many instances sufficient parts were not available, and the operators were, therefore, delayed in their efforts to meet the effective date for full compliance.

The Civil Aeronautics Board finds that at least one certificated air carrier and several irregular air carriers have not been able to secure all of the items needed to complete the modifications required by the amendments previously referred to, and that failure to extend the date for full compliance with these regulations would seriously interfere with air transportation. For this reason the Board considers it in the public interest to authorize an additional period of six months, but it contemplates no further extension beyond that time.

In order to simplify the outstanding regulations on this matter, the Board is revoking Special Civil Air Regulations Serial Numbers 385, 390, 390-A, and 390-B and is incorporating the pertinent parts of the regulations in this amendment.

For the reasons stated above notice and public procedure hereon are unnecessary.

In consideration of the foregoing the Civil Aeronautics Board hereby amends Part 61 of the Civil Air Regulations (14 CFR, Part 61, as amended) effective May 1, 1948:

1. By amending § 61.30 (b) and (c) by substituting the date "November 1, 1948" for "May 1, 1948."

2. By adding the following proviso at the end of the second paragraph of § 61.30 following the word "regulations": *Provided*, That compliance with the provisions of this section shall not be required in those instances where the air carrier notifies the Administrator and shows that there exists a lack of equipment or parts necessary for compliance with specific provisions contained in this section. However, when such equipment or parts become available the air carrier shall comply with the pertinent provisions as soon thereafter as practicable. This proviso and the privileges granted thereby shall not be effective after November 1, 1948.

(Secs. 205 (a), 601, 604, 52 Stat. 984, 1007, 1010; 49 U. S. C. 425 (a), 551, 554)

NOTE: Special Civil Air Regulations Serial Numbers 385, 390, 390-A, and 390-B were revoked by Civil Air Regulations Amendment 41-18, effective May 1, 1948, *supra*.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 48-3067; Filed, Apr. 6, 1948;
8:57 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Federal Security Agency

PART 141—TESTS AND METHODS OF ASSAY FOR ANTIBIOTIC DRUGS

PART 146—CERTIFICATION OF BATCHES OF PENICILLIN- OR STREPTOMYCIN - CON- TAINING DRUGS

MISCELLANEOUS AMENDMENTS

By virtue of the authority vested in the Federal Security Administrator by the provisions of section 507 of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1040, 1055, as amended by 59 Stat. 463 and 61 Stat. 11; 21 U. S. C., Sup. 357) the regulations for tests and methods of assay of antibiotic drugs (12 F. R. 2215) and certification of batches of penicillin- or streptomycin-containing drugs (12 F. R. 2231), as amended, are hereby further amended as indicated below:

1. Part 141 is amended by adding the following new section:

§ 141.28 Penicillin for inhalation therapy—(a) Potency. Proceed as directed in § 141.1.

(b) Microorganism count. Accurately weigh the contents of 3 to 5 immediate containers in a sterile test tube and proceed as directed in § 141.21 (b).

(c) Toxicity. Proceed as directed in § 141.4.

(d) Moisture, pH, microscopical test for crystallinity, stability, penicillin G

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content, and penicillin K content. Proceed as directed in § 141.5.

2. Section 146.40 (a) is amended to read:

§ 146.40 Penicillin bougies (sodium penicillin bougies, calcium penicillin bougies, potassium penicillin bougies, penicillin bougies sodium salt, penicillin bougies calcium salt, penicillin bougies potassium salt)—(a) Standards of identity, strength, quality, and purity. Penicillin bougies are bougies composed of penicillin in an excipient of polyethylene glycol or of one or more other suitable and harmless diluents, binders, and lubricants. The potency of each bougie is not less than 25,000 units. Its moisture content is not more than 1.0 percent. Its content of viable microorganisms is not more than 50 per gram. The penicillin used conforms to the requirements of § 146.24 (a), except the limitation on penicillin K content and except subparagraphs (1), (2), (4), and (7) of § 146.24 (a), but its potency is not less than 300 units per milligram. Each other substance, if its name is recognized in the U. S. P. or N. F., conforms to the standards prescribed therefor by such official compendium.

3. Section 146.40 (b) is amended to read:

(b) Packaging. Unless each penicillin bougie is enclosed in foil or plastic film and such enclosure is a tight container as defined by the U. S. P., except the provision that it shall be capable to tight reclosure, the immediate container shall be a tight container as so defined. The immediate container may also contain a desiccant separated from the bougies by a plug of cotton or other like material. The composition of the immediate container, or of the foil or film enclosure, shall be such as will not cause any change in the strength, quality, or purity of the contents beyond any limit therefore in applicable standards, except that minor changes so caused which are normal and unavoidable in good packaging, storage, and distribution practice shall be disregarded.

4. § 146.40 (c) (1) (iii) is amended to read:

(c) Labeling. * * *

(1)

(iii) The statement "Expiration date _____", the blank being filled in, if crystalline penicillin is used, with the date which is 18 months, or if crystalline penicillin is not used, with the date which is 12 months after the month during which the batch was certified; except that if the excipient is polyethylene glycol the blank shall be filled in with the date which is 3 months after the month during which the batch was certified;

5. Section 146.40 (c) (1) (iv) is amended to read:

(iv) If the excipient is polyethylene glycol, the statement "Warning—This product is very unstable unless stored in refrigerator not above 15° C. (59° F.)"; and

6. Section 146.40 (d) (1) is amended by deleting the period at the end thereof and adding the following: "and a state-

ment that each ingredient used in making the batch conforms to the requirements prescribed therefor, if any, by this section."

7. Section 146.40 (d) (3) (iii) is amended to read:

(d) Request for certification; samples. * * *

(3)

(iii) In case of an initial request for certification, each polyethylene glycol and each other ingredient used in making the batch; one package of each containing approximately 25 grams.

8. Part 146 is amended by adding the following new section:

§ 146.46 Crystalline penicillin for inhalation therapy—(a) Standards of identity, strength, quality, and purity. Crystalline penicillin for inhalation therapy conforms to the requirements of § 146.24 (a) for crystalline penicillin, except subparagraphs (2), (4), and (7) of § 146.24 (a), but its content of viable microorganisms is not more than 50 per gram.

(b) Packaging. The immediate container of crystalline penicillin for inhalation therapy shall be a tight container as defined by the U. S. P.; its closure shall be one through which a hypodermic needle cannot be introduced; it shall be so sealed that the contents cannot be used without destroying such seal and shall be of such composition as will not cause any change in the strength, quality, or purity of the contents beyond any limit therefor in applicable standards, except that minor changes so caused which are normal and unavoidable in good packaging, storage, and distribution practice shall be disregarded. Each such container shall contain not less than 50,000 units and each may be packaged in combination with a container of the solvent, distilled water U. S. P., physiological salt solution U. S. P., physiological salt solution with the preservative chlorobutanol, or a solution of propylene glycol in distilled water.

(c) Labeling. Each package shall bear on its label or labeling as herein-after indicated, the following:

(1) On the outside wrapper or container and the immediate container:

(i) The batch mark;

(ii) The number of units in the immediate container;

(iii) The statement "Expiration date _____", the blank being filled in with the date which is 36 months after the month during which the batch was certified; and

(iv) The statement "Warning—Not for injection."

(2) On the outside wrapper or container:

(i) The statement "Caution: To be dispensed only by or on the prescription of a _____", the blank being filled in with the word "physician" or "dentist" or both, as the case may be; and

(ii) A reference specifically identifying a readily available medical publication containing directions and precautions (including contraindications and possible sensitization) adequate for the use of such crystalline penicillin for inhalation therapy; or a reference to a brochure, or other printed matter con-

taining such directions and precautions, and a statement that such brochure and printed matter will be sent on request.

(d) Request for certification; samples.

(1) In addition to complying with the requirements of § 146.2, a person who requests certification of a batch of crystalline penicillin for inhalation therapy shall submit with his request a statement showing the batch mark, the number of packages of each size in such batch, the batch mark and (unless it was previously submitted) the date on which the latest assay of the crystalline penicillin comprising the batch was completed. Such request shall be accompanied or followed by the results of tests and assays made by him on the batch for potency, microorganism count, toxicity, moisture, pH, penicillin K content (unless it is crystalline penicillin G), crystallinity and heat stability, and the penicillin G content, if it is crystalline penicillin G. If such batch or any part thereof is to be packaged with a solvent, such request shall also be accompanied by a statement that such solvent conforms to the requirements prescribed therefor, if any, by this section.

(2) Such person shall submit in connection with his request accurately representative samples of the batch; one immediate container for each 5,000 immediate containers in the batch, but in no case less than 40 immediate containers or more than 120 immediate containers, collected by taking single immediate containers at such intervals throughout the entire time of packaging the batch that the quantities packaged during the intervals are approximately equal.

(e) Fees. The fee for the services rendered with respect to each batch under the regulations in this part shall be:

(1) \$1.00 for each immediate container in the sample submitted in accordance with paragraph (d) (2) of this section; and

(2) If the Commissioner considers that investigations, other than examination of such immediate containers, are necessary to determine whether or not such batch complies with the requirements of § 146.3 for the issuance of a certificate, the cost of such investigations.

The fee prescribed by subparagraph (1) of this paragraph shall accompany the request for certification unless such fee is covered by an advance deposit maintained in accordance with § 146.8 (d).

This order, which provides for the marketing of a new penicillin product, penicillin for inhalation therapy, and for an alternative preparation for penicillin bougies which is more stable, shall become effective upon publication in the *FEDERAL REGISTER*, since both the public and the penicillin industry will benefit by the earliest effective date, and I so find.

Notice and public procedure are not necessary prerequisites to the promulgation of this order and would be contrary to the public interest, and I so find, since it was drawn in collaboration with interested members of the affected industry and since it would be against public interest to delay the marketing of this

new penicillin product and to provide for an alternative preparation for penicillin bougies which is more stable.

(52 Stat. 1040, as amended by 59 Stat. 463 and 61 Stat. 11; 21 U. S. C., Sup. 357)

Dated: April 1, 1948.

[SEAL] J. DONALD KINGSLEY,
Acting Administrator.

[F. R. Doc. 48-3025; Filed, Apr. 6, 1948;
8:51 a. m.]

TITLE 24—HOUSING CREDIT

Chapter V—Federal Housing Administration

Subchapter A—Property Improvement Loans

PART 501—CLASS 1 AND 2 PROPERTY IMPROVEMENT LOANS

CHANGE OF EFFECTIVE DATE

The effective date of April 20, 1948, of the amendments to Part 501, §§ 501.7 and 501.8 (a) of the regulations of the Federal Housing Commission governing Property Improvement Loans effective July 1, 1947, as published in the FEDERAL REGISTER (13 F. R. 1559), is hereby changed to May 10, 1948.

Issued at Washington, D. C., this 1st day of April 1948.

[SEAL] FRANKLIN D. RICHARDS,
Federal Housing Commissioner.

[F. R. Doc. 48-3026; Filed, Apr. 6, 1948;
8:51 a. m.]

Subchapter H—War Housing Insurance

PART 576—ADMINISTRATIVE RULES FOR WAR HOUSING INSURANCE UNDER SECTION 603 OF THE NATIONAL HOUSING ACT

MAXIMUM AMOUNT OF MORTGAGE

Section 576.17 (24 CFR, 1946 Supp.), as amended, is hereby amended by striking out the first sentence and inserting in lieu thereof the following sentence:

§ 576.17 Maximum amount of mortgage. The mortgage must involve a principal obligation in an amount not in excess of ninety per centum (90%) of the Commissioner's estimate of the value as of the date the mortgage is accepted for insurance of a property, urban, suburban, or rural upon which there is located a dwelling designed principally for residential use for not more than four families in the aggregate, which is approved for mortgage insurance prior to the beginning of construction, except that as to applications received by the Commissioner on or before March 31, 1948, the mortgage may involve a principal obligation in an amount not to exceed ninety per centum (90%) of the Commissioner's estimate of the necessary current cost (including the land and such initial service charges and such appraisal, inspection, and other fees as the Commissioner shall approve).

This amendment to Part 576, Administrative Rules for War Housing Insurance under section 603 of the National Housing Act, is effective as to all mortgages on which a commitment to insure

under section 603 is issued on or after April 1, 1948.

(Sec. 603, 55 Stat. 56, as amended; 12 U. S. C. 1738)

Issued at Washington, D. C. 1st day of April 1948.

FRANKLIN D. RICHARDS,
Federal Housing Commissioner.

[F. R. Doc. 48-3023; Filed, Apr. 6, 1948;
8:51 a. m.]

Chapter VI—Public Housing Administration

PART 631—WAR HOUSING PROGRAM: POLICY

DISPOSITION OF CERTAIN TEMPORARY WAR HOUSING PROJECTS

CROSS REFERENCE: For an exception to the procedure for disposition of temporary dwelling buildings set forth in § 631.4, see Public Housing Administration document F. R. Doc. 48-3021 in the Notices section, *infra*, with respect to

Section No.	Regulation, Order, etc.	Date issued or amended	Federal Register citation
801.1.	Expediter Priorities Order 1.	Aug. 27, 1946	11 F. R. 9507.
801.2.	Expediter Priorities Order 2.	June 1, 1947	12 F. R. 3604.
801.3.	Expediter Priorities Order 3.	Mar. 24, 1947	12 F. R. 1939.
801.5.	Expediter Priorities Order 5.	Mar. 31, 1947	12 F. R. 2111.
803.4.	Housing Expediter Priorities Reg. 4.	Jan. 27, 1947	12 F. R. 625.
803.6.	Housing Expediter Priorities Reg. 6.	Mar. 31, 1947	12 F. R. 2112.
803.7.	Housing Expediter Priorities Reg. 7.	Jan. 27, 1947	12 F. R. 629.
803.10.	Priorities Regulation 11.	Mar. 4, 1947	12 F. R. 1481.
944.	Direction 1.	Jan. 29, 1947	12 F. R. 661.
944.	Direction 2.	June 15, 1944	9 F. R. 6623.
944.	Direction 11.	Sept. 18, 1945	10 F. R. 11887.
803.11.	Priorities Regulation 3.	Mar. 4, 1947	12 F. R. 1487.
944.	Direction 7.	Oct. 1, 1945	12 F. R. 12382.
944.27.	Priorities Regulation 7.	Dec. 31, 1946	12 F. R. 7.
803.8.	Priorities Regulation 28.	May 9, 1947	12 F. R. 3082.
944.	Table I.	Mar. 4, 1947	12 F. R. 1492.
803.	Direction 25.	Apr. 29, 1947	12 F. R. 2806.
803.	Direction 26.	May 23, 1947	12 F. R. 3397.
803.11a.	Schedule A to Priorities Regulation 33.	Mar. 3, 1947	12 F. R. 1459.
944.54b.	Schedule B to Priorities Regulation 33.	Mar. 31, 1947	12 F. R. 1461.
803.	Direction 8 to Priorities Regulation 33.	Mar. 31, 1947	12 F. R. 2119.
805.1.	Expediter Premium Payments Reg. 1.	Jan. 23, 1947	12 F. R. 522.
805.2.	Expediter Premium Payments Reg. 2.	Feb. 12, 1947	12 F. R. 1052.
805.3.	Expediter Premium Payments Reg. 3.	Dec. 3, 1946	11 F. R. 14181.
805.4.	Expediter Premium Payments Reg. 4.	July 31, 1946	11 F. R. 8347.
805.5.	Expediter Premium Payments Reg. 5.	July 31, 1946	11 F. R. 8348.
805.6.	Expediter Premium Payments Reg. 6.	Feb. 3, 1947	12 F. R. 828.
805.7.	Expediter Premium Payments Reg. 7.	Feb. 3, 1947	12 F. R. 833.
805.8.	Expediter Premium Payments Reg. 8.	Jan. 31, 1947	12 F. R. 768.
805.9.	Expediter Premium Payments Reg. 9.	Sept. 19, 1946	11 F. R. 10578.
805.10.	Expediter Premium Payments Reg. 10.	Jan. 8, 1947	12 F. R. 177.
805.11.	Expediter Premium Payments Reg. 11.	Nov. 1, 1946	11 F. R. 13015.
806.1.	Housing Permit Regulation.	June 30, 1947	12 F. R. 4713.
3288.91.	Limitation Order L-357.	Dec. 10, 1946	11 F. R. 14244.

¹ In connection with the records keeping requirements of Priorities Regulation 1, this revocation applies only to the Office of Temporary Controls (Civilian Production Administration) regulations and orders transferred to and adopted by the Housing Expediter in Housing Expediter Priorities Order 5. It does not apply to the keeping of records in connection with any other Office of Temporary Controls (Civilian Production Administration) regulations and orders. (See Allocations Regulation 1 issued by the Office of Temporary Controls (Civilian Production Administration) and now administered by the Office of Materials Distribution, Department of Commerce.)

(a) **Effect of revocation.** (1) This revocation does not affect any claims for premium payments which may have accrued during the effective period of any of the regulations herein revoked. Such claims shall be payable in the same manner and to the same extent as if the regulations under which they accrued had not been revoked.

(2) This revocation does not affect any liabilities incurred for violations of any of the regulations, orders, directions and schedules herein revoked, or for violations of any actions taken by the Civilian Production Administration, Office of Temporary Controls, or Office of the Housing Expediter under said regula-

two designated temporary war housing projects.

Chapter VIII—Office of Housing Expediter

[Blanket Revocation]

PART 801—PRIORITIES ORDERS UNDER VETERANS' EMERGENCY HOUSING ACT OF 1946

PART 803—PRIORITIES REGULATIONS UNDER VETERANS' EMERGENCY HOUSING ACT OF 1946

PART 805—PREMIUM PAYMENTS REGULATIONS UNDER VETERANS' EMERGENCY HOUSING ACT OF 1946

PART 806—HOUSING PERMIT REGULATION UNDER VETERANS' EMERGENCY HOUSING ACT OF 1946

The following regulations, orders, directions, schedules and table, having expired as a result of the expiration of the legislative authority under which they were issued and effective, are hereby revoked of record as of April 1, 1948:

tions, orders, directions and schedules. Notwithstanding this revocation, the provisions of all of the regulations, orders, directions, schedules and table herein revoked shall be treated as remaining in force, as to rights or liabilities incurred or offenses committed prior to the date of revocation, for the purpose of sustaining any proper suit, action or prosecution with respect to any such right, liability or offense.

Issued this 1st day of April 1948.

TIGHE E. WOODS,
Housing Expediter.

[F. R. Doc. 48-3102; Filed, Apr. 6, 1948;
9:55 a. m.]

RULES AND REGULATIONS

TITLE 32—NATIONAL DEFENSE

Chapter IX—Office of Materials Distribution, Bureau of Foreign and Domestic Commerce, Department of Commerce

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITY SYSTEM

PART 946—TRANSFER OF REGULATIONS AND ORDERS

PART 3288—PLUMBING AND HEATING EQUIPMENT

REVOCATION OF ORDERS

CROSS REFERENCE: For blanket revocation of certain orders formerly appearing under Parts 944 and 3288 and transferred to the Office of Housing Expediter, March 31, 1947, by § 946.1, 12 F. R. 2127, see Title 24, Chapter VIII, *supra*.

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 1—ORGANIZATION, PRACTICE AND PROCEDURE

APPLICATION FOR EXPERIMENTAL OR SPECIAL TEMPORARY AUTHORIZATION

In the matter of adoption of new F. C. C. Form 408, Application For Experimental or Special Temporary Authorization, (combining present Forms 408 and 409) and Revision of Part 1, § 1.324 (c).

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 24th day of March 1948;

The Commission having under consideration the adoption of a new F. C. C. Form 408, Application For Experimental or Special Temporary Authorization, combining present Forms 408, Application for Special Temporary, Experimental Authorization, and 409, Application for Renewal or Extension of Special Temporary, Experimental Authorization; and

It appearing, that it will be in the public interest to replace existing Forms 408 and 409 with a new F. C. C. Form No. 408, Application For Experimental or Special Temporary Authorization; that the adoption of the new form will provide the Commission with all of the required information now provided by the two existing forms; that the requirements of the new form will be less than the requirements of the existing forms; that the new form will facilitate the processing, and, aside from deletion of certain existing requirements will in-

volve only editorial and format changes; and

It further appearing, that, for the foregoing reasons, the public notice and procedure set forth in section 4 of the Administrative Procedure Act are unnecessary:

It is ordered, that, effective immediately, F. C. C. Form 408, Application For Experimental or Special Temporary Authorization, is adopted and § 1.324 (c) (47 CFR, 1946 Supp.) of the Commission's rules and regulations is amended to read as follows:

a. Delete subparagraphs (1) and (2) and substitute therefor the following:

§ 1.324 Application for special temporary authorization; broadcast and non-broadcast. * * *

(c) * * *

(1) FCC Form No. 408, "Application For Experimental or Special Temporary Authorization (Fixed Public Radio Services Only)" shall be used for new application and for extension or modification of existing authorization.

b. Renumber present subparagraph (3) to read subparagraph (2).

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3055; Filed, Apr. 6, 1948;
8:52 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[No. 10122]

PART 139—STANDARD TIME ZONE BOUNDARIES

STANDARD TIME ZONE INVESTIGATION

At a session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D. C., on the 31st day of March A. D. 1948.

It appearing, that by report and order dated October 24, 1918 (51 I. C. C. 273; 49 CFR 139), the Commission defined the limits of the various time zones throughout the United States created by the act of Congress entitled "An Act to Save Daylight and to Provide Standard Time," approved March 19, 1918 (40 Stat. 450; 15 U. S. C. 261-265), and that said limits were restated and redefined in the sixteenth supplemental report and order in this investigation, dated May 19, 1928 (142 I. C. 279; 49 CFR 139);

It further appearing, that upon petition of the Union Pacific Railroad Com-

pany for modification of the orders entered herein, the proceeding was reopened for consideration of the matters raised in the said petition;

And it further appearing, that a full investigation of the matters and things involved has been made, and that the said division, on the date hereof, has made and filed its twenty-eighth supplemental report in the above-entitled proceeding, containing its findings of fact and conclusions thereon, which said twenty-eighth supplemental report is hereby referred to and made a part hereof.¹

It is ordered, That the said order of October 24, 1918, as subsequently amended, as restated in the said order of May 19, 1928, and corresponding sections of the Code of Federal Regulations (49 CFR, Part 139), are hereby amended as follows:

Section 139.7 *Boundary line between Mountain and Pacific zones*, paragraph (d) *Operating exceptions*, subparagraph (1), *Lines east of boundary excepted from Mountain zone*, is amended by adding the following exceptions to those outstanding:

Name of railroad	From—	To—
Union Pacific.	Utah-Nevada State line (west of UVada, Utah).	Salt Lake City, Utah (via Tintic, Utah).
Do.....	Lynnndyl, Utah.	Salt Lake City, Utah (via Provo, Utah).
Do.....	Tintic, Utah....	Eureka, Silver City, and Mammoth, Utah.
Do.....	Cutler, Utah....	Five Mile Pass, Utah.
Do.....	Delta, Utah....	Filmore, Utah.
Do.....	Lund, Utah....	Cedar City and Iron Mountain, Utah.

Subparagraph (2), *Lines west of boundary included in Mountain zone*, is amended by eliminating from the table therein all exceptions of the Los Angeles & Salt Lake Railroad Company.

(40 Stat. 450-451, 41 Stat. 1446, 42 Stat. 1434; 15 U. S. C. 261-265)

It is further ordered, That the changes and additions required hereby shall become effective at 2 o'clock antemeridian April 11, 1948.

And it is further ordered, That notice to the general public shall be given by depositing a copy of this order in the office of the Secretary of the Commission for public inspection, and by filing a copy with the Director, Division of the Federal Register.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 48-3029; Filed, Apr. 6, 1948;
8:52 a. m.]

PROPOSED RULE MAKING**DEPARTMENT OF THE INTERIOR**

Fish and Wildlife Service

[50 CFR, Parts 1, 2]

MIGRATORY BIRDS AND CERTAIN GAME MAMMALS

NOTICE OF PROPOSED RULE MAKING

Pursuant to section 4 (a) of the Administrative Procedure Act, approved

June 11, 1946 (Pub. Law 404, 79th Cong.), and the authority contained in section 3 of the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755, 16 U. S. C. 704), as amended, notice is hereby given that the Secretary of the Interior intends to take the following action:

Adopt amended regulations permitting and governing the hunting, taking, capture, killing, possession, sale, purchase,

shipment, transportation, carriage, exportation, and importation of migratory birds, and parts, nests, and eggs thereof, and of certain game mammals.

The foregoing regulations are to be effective beginning July 1, 1948, or as soon thereafter as approved by the President, and to continue in effect thereafter until further notice.

¹ Filed as part of original document.

Interested persons are hereby given an opportunity to participate in formulating the proposed regulations by submitting their views, data, or arguments in writing to Albert M. Day, Director, Fish and Wildlife Service, Washington, D. C. Such persons are given further opportunity to so participate by presenting their views at a series of open discussions scheduled to be held in the following designated places on the dates specified:

April 6, San Francisco, California, Comstock Room of the Palace Hotel, commencing 10 a. m. (local time).

April 13, Seattle, Washington, Labor Temple, 1 p. m. (local time).

April 23, Minneapolis, Minnesota, Curtis Hotel, 10 a. m. (local time).

April 26, Columbus, Ohio, Public Hearing Room, State Office Building, 8 p. m. (local time).

April 27, Chicago, Illinois, Academy of Science Building, 10 a. m. (local time).

May 6, New Orleans, Louisiana, St. Charles Hotel, 9:30 a. m. (local time).

May 10, Memphis, Tennessee, Peabody Hotel, 9:30 a. m. (local time).

May 13, Charleston, South Carolina, Charleston Museum Auditorium, 9:30 a. m. (local time).

May 20, Albany, New York, Hearing Room No. 1, State Office Building, 10:30 a. m.

May 21, Boston, Massachusetts, Gardner Auditorium, State House, 2 p. m. (local time).

Additional opportunities will be provided for presentation of the views of such persons on the dates and in the cities listed below:

April 28, Denver, Colorado.

May 5, Houston, Texas.

May 24, Baltimore, Maryland.

June 2, 3 or 4, Salt Lake City, Utah.

Exact times and places of the last mentioned open discussions will be published in local newspapers and also may be obtained, after April 15, by addressing inquiry to the Director, Fish and Wildlife Service, Washington 25, D. C.

WILLIAM E. WARNE,
Assistant Secretary of the Interior.

APRIL 1, 1948.

[F. R. Doc. 48-3039; Filed, Apr. 6, 1948;
8:46 a. m.]

Room 203, Unit C, U. S. Post Office Building, Sioux City, Iowa.

Done at Washington, D. C., this 1st day of April 1948.

[SEAL]

THOMAS J. FLAVIN,
Judicial Officer.

[F. R. Doc. 48-3066; Filed, Apr. 6, 1948;
8:53 a. m.]

17 CFR, Part 9361

[Docket No. AO-90-A2]

HANDLING OF FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

NOTICE OF HEARING WITH RESPECT TO PROPOSED AMENDMENTS TO MARKETING AGREEMENT, AS AMENDED, AND ORDER, AS AMENDED

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and in accordance with the applicable rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR and Supps. 900.1 et seq.; 12 F. R. 1159, 4904), notice is hereby given of a public hearing to be held in Room 102, Business and Professions Building, 1020 N Street, Sacramento, California, beginning at 9:00 a. m., P. d. s. t., April 12, 1948, with respect to proposed amendments to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR, Cum. Supp., Part 936), hereinafter referred to as the "marketing agreement" and "order," respectively, regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California. These proposals have not received the approval of the Secretary of Agriculture.

Such public hearing is for the purpose of receiving evidence with respect to the economic or marketing conditions relating to the proposed amendments, which are hereinafter set forth, and appropriate modifications thereof.

The following amendments have been proposed by the Control Committee, established pursuant to the aforesaid marketing agreement and order:

1. Insert the following immediately preceding the period in section 1 (b) of the marketing agreement and § 936.1 (b) of the order: "and further amended by Public Law 305, 80th Cong., approved August 1, 1947".

2. Insert, after the first semicolon in section 2 (s) (3) of the marketing agreement and § 936.2 (s) (3) of the order, the following: "to engage in such research and service activities in connection with the handling of such fruit as may be approved, from the time to time, by the Secretary;".

3. In section 2 (s) (8) of the marketing agreement and § 936.2 (s) (8) of the order, insert the following immediately after the word "sizes": "or minimum standards of quality and maturity".

4. Delete the heading from section 4 of the marketing agreement and § 936.4 of the order and substitute, in lieu thereof, the following: "Regulation."

5. Delete the heading from section 4 (a) of the marketing agreement and § 936.4 (a) of the order, and substitute, in lieu thereof, the following: "By grades and sizes—(1) Recommendation."

6. Delete the paragraph designation "(b)" and its heading from section 4 of the marketing agreement and § 936.4 of the order and substitute, in lieu thereof, the following: "(2) Establishment."

7. Add to section 4 of the marketing agreement and § 936.4 of the order the following new paragraph:

(b) *By minimum standards of quality and maturity—(1) Recommendation.* Whenever a commodity committee, established pursuant hereto for a particular fruit, deems it advisable to establish during any period minimum standards of quality or maturity, or both, to govern shipments of such fruit pursuant to this paragraph, it shall so recommend to the Secretary. Each such recommendation of the committee shall be in terms of (i) grades or sizes, (ii) other attributes, factors, elements, or determinants of quality or maturity, or (iii) any combination of the foregoing. With each such recommendation, the committee shall submit to the Secretary the information and data on which such recommendation is predicated; and such commodity committee shall also submit to the Secretary such other information as he may request.

(2) *Establishment.* Whenever the Secretary finds, from the recommendation and information submitted by a commodity committee established pursuant hereto for a particular fruit or from other available information, that to establish minimum standards of quality or maturity, or both, for such fruit and to limit the shipment of such fruit during any period to that meeting the minimum standards would be in the public interest and would tend to effectuate the declared policy of the act, he shall establish such standards, designate such period, and so limit the shipment of such fruit. The Secretary shall immediately notify such commodity committee of the minimum standards so established and the period so designated; and the committee shall give such notice thereof as may be reasonably calculated to bring such regulation to the attention of all interested parties.

8. Delete the provisions in section 4 (c) *Exemptions* of the marketing agreement and § 936.4 (c) *Exemptions* of the order and insert, in lieu thereof, the following:

(1) Each commodity committee, established pursuant hereto for a particular fruit, shall, subject to the approval of the Secretary, adopt the procedural rules to govern the issuance of exemption certificates.

(2) In the event the Secretary issues a regulation for a particular fruit pursuant to this section, the commodity committee established pursuant hereto for such fruit shall determine what the percentage of such fruit permitted to be shipped from each district is of the total quantity of such fruit which would be shipped from such district in the absence of such regulation. An exemption certificate may thereafter be issued by such committee to

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[P. & S. Docket No. 308]

MARKET AGENCIES AT SIOUX CITY STOCK YARDS, SIOUX CITY, IOWA

NOTICE OF HEARING INVOLVING PETITION FOR HIGHER RATES AND CHARGES

By a petition filed with the Department on October 31, 1947, notice of which was published in the FEDERAL REGISTER on November 14, 1947 (12 F. R. 7603), the market agencies at the Sioux City Stock Yards request that they be authorized to file a new rate schedule providing for rates and charges higher than the rates and charges now in effect, the details of which are set out in the notice referred to above.

Accordingly, notice is hereby given to the public and to all interested persons that a hearing on the above petition will be held at 10 a. m., April 26, 1948, in

PROPOSED RULE MAKING

any grower who furnishes proof, satisfactory to such committee, that by reason of conditions beyond his control he will be prevented, because of the regulation issued, from shipping, or causing to be shipped, a percentage of his crop of such fruit equal to the percentage determined as aforesaid, of all such fruit permitted to be shipped from his district. The certificate shall permit such grower to ship, or cause to be shipped, a percentage of his crop of such fruit equal to the percentage determined as aforesaid. Each such commodity committee shall maintain a record of all applications submitted for exemption certificates pursuant to the provisions of this section, and shall maintain a record of all certificates issued, including the information used in determining in each instance the quantity of fruit thus to be exempted, and a record of all shipments of exempted fruit. Such additional information as the Secretary may require shall be recorded in the records of such committee. Each commodity committee shall from time to time submit to the Secretary reports stating in detail the number of exemption certificates issued, the quantity of fruit thus exempted, and such additional information as may be requested by the Secretary.

(3) In the event the commodity committee, established pursuant hereto for a particular fruit, determines that by reason of general crop failure or any other unusual conditions within a particular district or districts, it is not feasible or would not be equitable to issue exemption certificates to growers within such district or districts on the basis set forth in subparagraph (2) of this paragraph, it may issue exemption certificates on the basis of the average of the percentages, as determined under subparagraph (2) of this paragraph, of the crops of such fruit permitted to be shipped from all districts. An exemption certificate may thereafter be issued by such committee to any grower who furnishes proof satisfactory to such committee to the effect that such grower will be prevented, because of the aforesaid regulation, from shipping, or causing to be shipped, as large a percentage of his crop of such fruit as the average of the percentages, as determined under subparagraph (2) of this paragraph, of the crops of such fruit permitted to be

shipped from all districts. The certificate shall permit such grower to ship, or cause to be shipped, a percentage of his crop of such fruit equal to the average percentage determined as aforesaid.

(4) If any grower is dissatisfied with the action of a commodity committee taken with respect to his application for an exemption certificate, such grower may appeal to the Secretary: *Provided*, That such appeal shall be made promptly. The Secretary may, upon an appeal made as aforesaid, modify or reverse the action of the committee from which such appeal was taken. The authority of the Secretary to supervise and control the issuance of exemption certificates is unlimited and plenary; and any determination by the Secretary with respect to an exemption certificate shall be final and conclusive.

9. Insert before the period at the end of the first sentence of section 4 (d) of the marketing agreement and § 936.4 (d) of the order, the following: "or minimum standards of quality and maturity".

10. Insert, after the word "size" in the last sentence of section 4 (d) of the marketing agreement and § 936.4 (d) of the order, the following: "or quality and maturity".

11. Add the following new paragraph to section 4 of the marketing agreement and § 936.4 of the order:

(e) *Modification, suspension, or termination.* Whenever a commodity committee, established pursuant hereto for a particular fruit, deems it advisable to recommend to the Secretary the modification, suspension, or termination of any or all of the regulations established pursuant to paragraphs (a) or (b) of this section, it shall so recommend to the Secretary. If the Secretary finds, upon the basis of such recommendation or upon the basis of other available information, that to modify any such regulations will tend to effectuate the declared policy of the act, he shall so modify such regulations. If the Secretary finds, upon the basis of such recommendation or upon the basis of other available information, that any such regulations obstruct or do not tend to effectuate the declared policy of the act, he shall suspend or terminate such regulations. The Secretary shall immediately notify such commodity com-

mittee, and such commodity committees shall promptly give adequate notice to handlers and growers, of the issuance of each order modifying, suspending, or terminating any such regulations. In like manner and upon the same basis the Secretary may terminate any such modification or suspension.

12. Delete the first sentence in section 8 (a) of the marketing agreement and § 936.8 (a) of the order and insert, in lieu thereof, the following:

§ 936.8 *Expenses and assessments—*
(a) *Expenses.* The Control Committee is authorized to incur such expenses as the Secretary may find are reasonable and are likely to be incurred by the Control Committee during the then current fiscal period for the maintenance and functioning of such committee and the respective commodity committees, and for such research and service activities relative to the handling of fruit, as the Secretary may determine to be appropriate.

13. Delete the last sentence of section 8 (b) of the marketing agreement and § 936.8 (b) of the order.

The Fruit and Vegetable Branch, Production and Marketing Administration, has proposed that consideration be given to such other changes in the marketing agreement and order as may be necessary to make the entire marketing agreement and order conform with the proposed amendments.

Copies of this notice of hearing may be obtained from the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C., or from the Western Marketing Field Office of the Fruit and Vegetable Branch, Production and Marketing Administration, either at 221 California Fruit Building, Fourth and Jay Streets, Sacramento 14, California, or 2180 Milvia Street, Berkeley 1, California.

Filed at Washington, D. C., this 2d day of April 1948.

[SEAL] S. R. NEWELL,
Acting Assistant Administrator,
Production and Marketing Administration.

[F. R. Doc. 48-3063; Filed, Apr. 6, 1948;
8:49 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

WYOMING

STOCK DRIVEWAY WITHDRAWAL NO. 78,
WYOMING NO. 11, ENLARGED

By virtue of the authority contained in section 7 of the act of June 28, 1934, 48 Stat. 1272, as amended by the act of June 26, 1936, 49 Stat. 1976 (U. S. C., Title 43, sec. 315f), and in section 10 of the act of December 29, 1916, 39 Stat. 865, as amended by the act of January 29, 1929,

45 Stat. 1144 (U. S. C., Title 43, sec. 300), it is ordered as follows:

The following-described public land in Wyoming is hereby classified as necessary and suitable for the purpose and, excepting any mineral deposits therein, is withdrawn from all disposal under the public-land laws and reserved, subject to valid existing rights, for the use of the general public as an addition to Stock Driveway Withdrawal No. 78, Wyoming No. 11:

SIXTH PRINCIPAL MERIDIAN

T. 12 N., R. 117 W.
Sec. 8.

The area described contains 640 acres.

Any mineral deposits in the lands shall be subject to location and entry only in the manner prescribed by the Secretary of the Interior in accordance with the provisions of the aforesaid act of January 29, 1929, and such regulations as have been or may be issued thereunder.

OSCAR L. CHAPMAN,
Under Secretary of the Interior.

MARCH 29, 1948.

[F. R. Doc. 48-3022; Filed, Apr. 6, 1948;
8:50 a. m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

PROPOSED VOLUNTARY PLAN

CONSERVATION OF GRAIN BY BREWING
INDUSTRY

Having determined, in view of the world shortage of grain and the supply of grain currently available to the United States, that voluntary action with respect to the conservation of grain is necessary to provide for the equitable distribution of short supplies, a public meeting was held with the brewing industry, to which all brewers, labor, and the public were invited. As a result of such meeting and further consultation with representatives of the industry, both formally and informally, and communications received from consumers, labor and the industry after publication of the proposed plan in the FEDERAL REGISTER (13 F. R. 875), I hereby find that the proposed plan for voluntary action by the brewing industry for the conservation of grain is practicable and appropriate to the successful carrying out of the policies set forth in section 1 of Public Law 395 (80th Congress, First Session).

Therefore, there is now recommended for approval, pursuant to the provisions of Executive Order 9919, issued January 3, 1948 (13 F. R. 59), the following plan:

(a) No brewer will use wheat, wheat products, table-grade rice, or products made from table-grade rice.

(b) No brewer will, during any month, use more barley malt and barley malt products than 105% of the total quantity used during the same month of 1947.

(c) No brewer will, during any month, use more grain and grain products, except barley malt and barley malt products, than 85 percent of the total quantity used during the same month of 1947.

(d) Any brewer may, during any month, use a minimum of 120,000 lbs. of grain and grain products, other than wheat, wheat products, table-grade rice, or products made from table-grade rice.

(e) A committee will be established to determine relief granted in hardship cases. Such committee will be composed of representatives of the United States Department of Agriculture, the United States Brewers Foundation, the Small Brewers Committee, and nonaffiliated brewers.

(f) This plan will be effective April 15, 1948, will extend through June 30, 1948, and may be thereafter extended by the Secretary of Agriculture for any period not beyond February 28, 1949.

(g) Each brewer will report the total quantity of grain used by him during each month of the agreement and for the comparable month of 1947. Such reports will be made monthly to the Alcohol Tax Unit, Internal Revenue Bureau, U. S. Treasury Department, Washington 25, D. C., on regular reporting forms.

Dated: March 24, 1948.

CLINTON P. ANDERSON,
Secretary of Agriculture.

Approved: March 18, 1948.

TOM C. CLARK,
Attorney General.

[F. R. Doc. 48-3082; Filed, Apr. 6, 1948;
9:04 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

MANATI PEARL WORKS, INC.

NOTICE OF HEARING

In the matter of the application of the Manati Pearl Works, Inc., for special certificate authorizing the employment of learners at subminimum wage rates pursuant to section 14 of the Fair Labor Standards Act of 1938 and Part 522, as amended, of the regulations issued thereunder.

Application has been made by Manati Pearl Works, Inc., pursuant to section 14 of the Fair Labor Standards Act of 1938 and regulations, Part 522, as amended (Regulations applicable to employment of learners pursuant to section 14 of the Fair Labor Standards Act of 1938), requesting the issuance of a special certificate authorizing the employment of learners at wage rates lower than the minimum applicable under section 6 of the act at its new plant located at Manati, Puerto Rico.

Objection has been filed by the Red Star Mfg. Co., Santurce, Puerto Rico to the issuance of this certificate. Accordingly,

Notice is hereby given of a public hearing to be held on April 14, 1948, commencing at 10:00 a. m. in the New York Department Store Building, Stop 16½, Ponce de Leon Avenue, Santurce, San Juan, Puerto Rico, before Kenneth Montgomery, Regional Attorney, for the purpose of taking evidence and hearing arguments on the following question:

Whether a special learner certificate should be issued to the Manati Pearl Works, Inc., to be effective for a period of one year and to permit the employment of learners in its plant at Manati, Puerto Rico, as follows: a total of 150 learners in the occupation of cutting at a subminimum wage rate of not less than 24 cents per hour for the first 320 hours and 28.5 cents per hour for the next 320 hours of a 640 hour learning period; a total of 15 learners in the occupation of belt grinding at a wage rate of not less than 26.25 cents per hour for a 200 hour learning period; a total of 20 learners in the occupation of convex grinding at a wage rate of not less than 26.25 cents per hour for a 200 hour learning period; a total of 25 learners in the occupation of barry machine operating at not less than 26.25 cents per hour for a learning period of 200 hours; a total of 25 learners in the occupation of miscellaneous hand-machine operating at not less than 26.25 cents per hour for a learning period of 200 hours; a total of 75 learners in the occupation of hand sorters at not less than 24 cents per hour for the first 160 hours and not less than 28.5 cents per hour for the next 160 hours of a 320 hour learning period; and a total of three learners in the occupation of polishing at not less than 26.25 cents per hour for a learning period of 200 hours, and with the condition that the learner rates must be increased to average 75% of any higher minimum which may be adopted for the industry prior to the expiration of the certificate.

In order to make a decision in this proceeding it is necessary to determine the extent to which a special learner certificate is required in order to prevent curtailment of opportunities for employment. To aid him in determining this and related questions, the Presiding Officer will receive evidence bearing on such factors as: availability of experienced workers to Manati Pearl Works, Inc.; the effect of issuance of the special learner certificate on creation of unfair competitive labor cost advantages; and the effect of issuance of the certificate on working standards established for experienced workers for work of a like or comparable character in the industry.

Following the hearing, the Presiding Officer, as my duly authorized representative, shall upon the basis of the whole record issue or deny the certificate.

Any interested person may appear at the hearing to offer evidence: *Provided*, That not later than April 13, 1948, such person shall file with the Territorial Representative of the Wage and Hour and Public Contracts Divisions, U. S. Department of Labor, New York Department Store Building, San Juan, Puerto Rico, a notice of intention to appear containing the following information:

1. The name and address of the person appearing.

2. If such person is appearing in a representative capacity, the names and addresses of the persons or organizations which he is representing.

3. A statement whether the appearance is in support of or in opposition to the applications.

Such notice may be mailed to the Territorial Representative and shall be considered filed upon receipt.

Written statements in lieu of personal appearances may be mailed to the Territorial Representative at any time prior to the date of hearing or may be filed with the presiding officer at the hearing.

Signed at Washington, D. C., this 2d day of April 1948.

WM. R. McCOMB,
Administrator, Wage and Hour
and Public Contracts Division.

[F. R. Doc. 48-3064; Filed, Apr. 6, 1948;
8:49 a. m.]

FEDERAL COMMUNICATIONS
COMMISSION

[Docket Nos. 5968, 6664, 7371]

REPORTER BROADCASTING CO. ET AL.

POSTPONEMENT OF ORAL ARGUMENT

In the matter of Reporter Broadcasting Company, Abilene, Texas, Docket No. 5968, File No. B3-P-2553; Calcasieu Broadcasting Co., Lake Charles, La., Docket No. 6664, File No. B3-P-3623; KRIC, Incorporated (KRIC), Beaumont, Texas, Docket No. 7371, File No. B3-P-4410; For construction permits.

The oral argument in the above-entitled proceeding scheduled before the Commission en banc on Monday, April 5, 1948 has been postponed to Tuesday, April 13, 1948, beginning at 10 o'clock

NOTICES

a. m., and will be held in Room 6121 of the Offices of the Commission.

Dated: March 25, 1948.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3059; Filed, Apr. 6, 1948;
8:48 a. m.]

o'clock a. m., and will be held in Room 6121 of the offices of the Commission.

Dated: March 25, 1948.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3057; Filed, Apr. 6, 1948;
8:48 a. m.]

[Docket No. 6787]

**RECORDING DEVICES IN CONNECTION WITH
TELEPHONE SERVICE**

ORDER POSTPONING EFFECTIVE DATE

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 25th day of March 1948;

The Commission, having under consideration its order of November 26, 1947, herein, and its order of February 26, 1948, postponing the effective date of the order of November 26, 1947, to April 1, 1948; and also having under consideration the various petitions and statements which have been filed by the parties herein since the issuance of the above order of November 26, 1947; and the Commission's public notice of March 17, 1948, providing for a public informal conference to be held on April 6, 1948, for the purpose of considering certain questions presented by the above petitions and statements;

It appearing, that pending a determination of the matters to be considered at the above mentioned public informal conference it is necessary and appropriate to postpone the effective date of the order of November 26, 1947;

It is ordered, That the effective date of the order of November 26, 1947, is postponed from April 1, 1948, to a date to be hereafter fixed by order of the Commission.

Released: March 26, 1948.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3049; Filed, Apr. 6, 1948;
8:47 a. m.]

[Docket Nos. 7567, 7673, 7904]

**CENTRAL CONNECTICUT BROADCASTING CO.
ET AL.**

ADVANCEMENT OF ORAL ARGUMENT DATE

In re applications of Central Connecticut Broadcast Co., New Britain, Connecticut, Docket No. 7567, File No. B1-P-4505; The Hartford Times, Inc., Hartford, Connecticut, Docket No. 7673, File No. B1-P-5006; The New Britain Broadcasting Co., New Britain, Connecticut, Docket No. 7904, File No. B1-P-5305.

The oral argument scheduled before the Commission en banc on Monday, April 5, 1948, has been advanced to Friday, April 2, 1948, beginning at 10

[Docket Nos. 7655, 8388]

**JAMES A. NOE (KNOE) AND MODEL CITY
BROADCASTING CO., INC.**

ORDER CONTINUING HEARING

In re application of James A. Noe (KNOE), Monroe, Louisiana, Docket No. 7655, File No. BMP-1839, for modification of construction permit; Model City Broadcasting Company, Inc., Anniston, Alabama, Docket No. 8388, File No. BP-5250, for construction permit.

The Commission having under consideration a petition filed March 17, 1948, by Model City Broadcasting Company, Inc., Anniston, Alabama, requesting a 30-day continuance of the hearing now scheduled for March 29, 1948, at Washington, D. C., on its above-entitled application for construction permit and the above-entitled application of James A. Noe (KNOE), Monroe, Louisiana;

It is ordered, This 26th day of March 1948, that the petition be, and it is hereby, granted; and that the hearing on the above-entitled applications be, and it is hereby, continued to 10:00 a. m., Wednesday, April 28, 1948, at Washington, D. C.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3058; Filed, Apr. 6, 1948;
8:48 a. m.]

[Docket Nos. 7843, 8056]

**METROPOLITAN BROADCASTING CORP. AND
MISSOURI BROADCASTING CORP. (WIL)**

**ORDER DESIGNATING APPLICATIONS FOR
FURTHER HEARING**

In re applications of Metropolitan Broadcasting Corporation, Belleville, Illinois, Docket No. 7843, File No. BP-5034; Missouri Broadcasting Corporation (WIL), St. Louis, Missouri, Docket No. 8056, File No. BP-5606; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 25th day of March 1948;

The Commission having under consideration: (1) A petition for rehearing, filed February 3, 1948, by Interstate Broadcasting Corporation, licensee of Station KLO, Ogden, Utah, directed against the Commission's action of January 16, 1948, granting the above-entitled application of Missouri Broadcasting Corporation, licensee of Station WIL, St. Louis, Missouri, to change the facilities of that station from 1230 kc, with 250

watts power, unlimited time, to 1430 kc, with 5 kw power, unlimited time, employing a directional antenna; (2) a petition for rehearing, filed February 4, 1948, by Lakeland Broadcasting Company, licensee of Station WLAK, Lakeland, Florida, directed against said action of the Commission of January 16, 1948; (3) replies to the respective petitions for rehearing filed by Missouri Broadcasting Corporation (WIL), on February 9, 1948; and (4) an answer to the reply of Missouri Broadcasting Corporation (WIL) by Lakeland Broadcasting Company (WLAK), filed February 16, 1948; and

It appearing, that the above-entitled application of Missouri Broadcasting Corporation (WIL) was filed on January 8, 1947, and heard in a consolidated proceeding with the conflicting application of Metropolitan Broadcasting Corporation on January 29, 30, and 31, 1947, and April 2, and 25, 1947; that the major portion of the testimony, including the testimony relative to the engineering considerations relating to these two applications, was taken in January 1947; that on January 7, 1948, the Commission adopted a proposed decision proposing to grant the application of Missouri Broadcasting Corporation (WIL) and to deny the application of Metropolitan Broadcasting Corporation; that on January 16, 1948, after Metropolitan Broadcasting Corporation had advised the Commission that it would not protest that proposed decision and waived the twenty-day period within which to file exceptions, the Commission made final its said proposed decision, granting the application of Missouri Broadcasting Corporation (WIL) and denying the application of Metropolitan Broadcasting Corporation; and

It further appearing, that Station KLO operating on 1430 kc, with 5 kw power, unlimited time, on July 8, 1946, filed an application for a construction permit to change its existing directional antenna for day and night use; that at the time of the hearing on the WIL application in January, 1947, neither the existing operation of KLO or the operation of KLO as proposed in its application would involve objectionable interference with the WIL proposal, under the Standards of Good Engineering Practice then in effect; that on February 10, 1947, the Commission adopted revised Standards of Good Engineering Practice; that under said revised Standards of Good Engineering Practice, the WIL proposal would cause an increase in the nighttime limitations of Station KLO's licensed operation and to KLO operating as proposed in that application; that the KLO application was granted without hearing on April 10, 1947; and that the licensee of Station KLO was not a party to or did not participate in the hearing on the WIL application; and

It further appearing, that on November 1, 1945, Lakeland Broadcasting Company filed an application requesting a construction permit to change the facilities of Station WLAK from 1340 kc, with 250 watts power, unlimited time, to 1430 kc, with 1 kw power, unlimited time; that this application was granted after hearing on January 8, 1947; that on February

12, 1948, WLAK was licensed to operate on 1430 kc; that under the Standards of Good Engineering Practice in effect at the time of the WLAK grant, the proposed operation of Station WLAK involved no objectionable interference with the WIL proposal; that under the revised Standards adopted February 10, 1947, WLAK operating as proposed would cause an increase in the nighttime limitation of Station WLAK; that the licensee of Station WLAK was not a party to or did not participate in the WIL proceeding; and

It further appearing, that the imposition of interference to the authorized operations of Stations KLO and WLAK by the WIL proposal would be a modification of Station KLO's license and construction permit and WLAK's license; that since the licensees of Stations KLO and WLAK did not participate in the hearing involving the WIL application, in view of the provisions of section 312 (b) of the Communications Act of 1934, as amended, such modifications cannot be effected without hearing; that the licensees of Stations KLO and WLAK have filed timely petitions for rehearing pursuant to section 405 of the Communications Act of 1934, as amended, requesting a further hearing in the matter; that, therefore, the licensees of Stations KLO and WLAK are entitled to have the decision in the above-entitled proceeding, to the extent that it grants the application of Missouri Broadcasting Corporation, set aside and a further hearing held in this proceeding as requested; and

It further appearing, that Metropolitan Broadcasting Corporation, in addition to filing no exceptions to the proposed decision and waiving the 20-day period in which to file such exceptions, has filed no petition for rehearing in this proceeding and, therefore, should be deemed to have abandoned its application;

It is therefore ordered, That the petitions for rehearing of Interstate Broadcasting Corporation and Lakeland Broadcasting Company, insofar as they request that the grant made of the application of Missouri Broadcasting Corporation in the decision in the above-entitled proceeding be set aside, that the record be reopened, that a further hearing be held, and that petitioners be made parties to such proceeding, be, and they are hereby, granted; and

It is further ordered, That the decision of January 16, 1948, to the extent that it grants the application of Missouri Broadcasting Corporation in the above-entitled proceeding be, and it is hereby, set aside; and that the record in said proceeding be, and it is hereby, reopened for further hearing at Washington, D. C. on the 26th day of April 1948, upon the following limited issues:

- To determine whether the operation of Station WIL as proposed would involve objectionable interference with Stations KLO, Ogden, Utah, and WLAK, Lakeland, Florida, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

2. To determine whether the installation and operation of Station WIL as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

It is further ordered, That Interstate Broadcasting Corporation, licensee of Station KLO, Ogden, Utah, and Lakeland Broadcasting Company licensee of Station WLAK, Lakeland, Florida, be, and they are hereby, made parties to this proceeding.

Released: March 26, 1948.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3050; Filed, Apr. 6, 1948;
8:47 a. m.]

[Docket No. 7974]

RADIOTELEGRAPH SERVICE BETWEEN THE
UNITED STATES AND FOREIGN AND OVER-
SEAS POINTS AND ASSIGNMENT OF FRE-
QUENCIES FOR SUCH SERVICE

ORDER POSTPONING HEARING

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 24th day of March 1948;

The Commission, having under consideration its orders of November 27, 1946 and March 6, 1947 herein, designating the above-entitled matter for hearing, and specifying various issues; and also having under consideration its order of November 3, 1947, postponing the hearing herein until May 3, 1948;

It appearing, that the Commission still has under consideration various questions which are presented herein regarding the type and extent of the presentation of evidence in the proceeding herein, and that the Commission will be unable to resolve such questions by May 3, 1948;

It is ordered, That the hearing presently scheduled herein to begin May 3, 1948, is postponed until further order of the Commission.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3051; Filed, Apr. 6, 1948;
8:47 a. m.]

[Docket No. 8376]

COMMUNITY BROADCASTING SERVICE, INC.
(WWBZ)

ORDER CONTINUING HEARING

In re application of Community Broadcasting Service, Inc. (WWBZ), Vineland, New Jersey, Docket No. 8376, File No. BP-5696, for construction permit.

The Commission having under consideration a petition filed March 23, 1948, by Community Broadcasting Service, Inc. (WWBZ), Vineland, New Jersey, requesting that the hearing on its above-entitled application for construction per-

mit now scheduled for March 29, 1948, be continued to April 16, 1948;

It is ordered, This 26th day of March 1948, that the petition be, and it is hereby, granted; and that the said hearing be, and it is hereby, continued to 10:00 a. m., Friday, April 16, 1948, at Washington, D. C.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3056; Filed, Apr. 6, 1948;
8:48 a. m.]

[Docket Nos. 8415, 8870]

KANSAS CITY BROADCASTING CO., INC., AND
REORGANIZED CHURCH OF JESUS CHRIST
OF LATTER DAY SAINTS

ORDER DESIGNATING APPLICATION FOR CON-
SOLIDATED HEARING ON STATED ISSUES

In re applications of Kansas City Broadcasting Company, Inc., Kansas City, Missouri, Docket No. 8415, File No. BP-5829; The Reorganized Church of Jesus Christ of Latter Day Saints, Independence, Missouri, Docket No. 8870, File No. BP-6630; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 25th day of March 1948;

The Commission having under consideration the above-entitled application of The Reorganized Church of Jesus Christ of Latter Day Saints requesting authorization to construct a new standard broadcast station at Independence, Missouri, to operate on 1380 kc, with 5 kw power, daytime only (Filed March 3, 1948); applicant's simultaneously filed petition requests that its application be designated for hearing with the above-entitled application of Kansas City Broadcasting Company, Inc. because of prohibitive interference; and Kansas City's opposition to said petition on the grounds that the church's application contains certain omissions and inconsistencies and is therefore incomplete and not in the proper form for filing within 20 days of the date on which the hearing on the Kansas City application is scheduled as required by § 1.724 (b).

It appearing, that, on June 3, 1947, the aforesighted application of Kansas City Broadcasting Company, Inc. for authorization to construct a new standard broadcast station to operate on 1380 kc, with 5 kw power, daytime only at Kansas City, Missouri, was designated for hearing currently scheduled to commence April 1, 1948 at Kansas City;

It further appearing, that any omissions and discrepancies in the application of The Reorganized Church of Jesus Christ of Latter Day Saints are of a minor nature; that the application is sufficiently complete for processing and consideration on its merits; and that, accordingly, the Commission, in the exercise of its discretion, would not be warranted in refusing to accept the said application pursuant to § 1.361 (a) of the rules (see the Commission's Memorandum Opinion and Order of July 25, 1946 (Mimeo No. 96472), re application of

NOTICES

[Docket No. 8427]

DOUGLAS L. CRADDOCK (WLOE)

ORDER CONTINUING HEARING

In re application of Douglas L. Craddock (WLOE), Leaksville, North Carolina, Docket No. 8427, File No. BML-1253, for modification of license.

It is ordered, That the petition of The Reorganized Church of Jesus Christ of Latter Day Saints, be and it is hereby granted and that, pursuant to section 309 (a) of the Communications Act of 1934, as amended the said application be, and it is hereby, designated for hearing in a consolidated proceeding with the previously designated application of Kansas City Broadcasting Company Inc., the hearing on the application (BP-6630) of the Reorganized Church of Jesus Christ of Latter Day Saints to be held on April 2, 1948, at Independence, Missouri, upon the following issues.

1. To determine the legal, technical, financial, and other qualifications of the applicant, its officers, trustees and members to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if either of the applications in this consolidated proceeding should be granted.

It is further ordered, That the Commission's order of June 3, 1947 designating for hearing the application (File No. BP-5829; Docket No. 8415) of Kansas City Broadcasting Company, Inc. (then Kansas City Broadcasting and Television Company), be, and it is hereby, amended to include the application of The Reorganized Church of Jesus Christ of Latter Day Saints.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.[F. R. Doc. 48-3054; Filed, Apr. 6, 1948;
8:48 a. m.]

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 25th day of March 1948;

The Commission, having under consideration its order of February 6, 1948, designating for hearing herein applications of Mackay Radio and Telegraph Company for renewal of Special Temporary Authorizations and for modification of license to communicate with Finland, Portugal, Surinam and The Netherlands; and having also under consideration a petition filed by Mackay Radio and Telegraph Company on February 18, 1948, in which it is requested that the Commission (a) consolidate for hearing herein, the applications of RCA Communications, Inc., for renewal of licenses to communicate with Portugal, Surinam and The Netherlands, and the application of Press Wireless, Inc., for modification of license to communicate with Portugal and The Netherlands, which applications are pending hearing in Docket No. 7974, In the matter of radiotelegraph service between the United States and foreign and overseas points and assignment of frequencies for such services; (b) enlarge the issues in the proceeding herein in a manner appropriate to the requested consolidation, and (c) postpone the hearing herein for approximately one month; an opposition to the above-described petition filed by RCA Communications, Inc., on February 24, 1948; and its order of March 3, 1948, dismissing without prejudice the applications herein of Mackay Radio and Telegraph Company for authority to communicate with Finland;

It appearing, that on February 25, 1948, the Commission, on its own motion, postponed the hearing herein until further order, in order to give it time to consider the questions raised by the above petition and opposition;

It further appearing, that the issues herein, as set forth in the Commission's order of February 6, 1948, instituting this proceeding, are directed primarily to the question of whether Mackay Radio and Telegraph Company should be authorized to communicate with the points in question, in addition to the existing circuits now authorized to, and operated by, RCA Communications, Inc.;

It further appearing, that the broadening of the issues by the introduction of alternative issues requested in the above petition of Mackay Radio and Telegraph Company would not conduce to the proper dispatch of business;

It is ordered, That the above petition of Mackay Radio and Telegraph Company is denied;

It is further ordered, That the hearing herein shall commence on April 26, 1948, at the same time and place as heretofore designated.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.[F. R. Doc. 48-3052; Filed, Apr. 6, 1948;
8:47 a. m.]

[Docket No. 8777]

MACKAY RADIO AND TELEGRAPH CO.

ORDER SCHEDULING HEARING

In the matter of Mackay Radio and Telegraph Company, Docket No. 8777, applications for radiotelegraph circuits between the United States and Portugal, Surinam, and The Netherlands.

Wednesday, April 7, 1948

FEDERAL REGISTER

1909

[Docket No. 8861]
TIMES PICAYUNE PUBLISHING CO. (WTPS)
ORDER DESIGNATING APPLICATION FOR
HEARING ON STATED ISSUES

In re application of The Times Picayune Publishing Company (WTPS), New Orleans, Louisiana, Docket No. 8861, File No. BMP-3268; for modification of construction permit.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 25th day of March 1948;

The Commission having under consideration the above-entitled application for modification of construction permit to change power and hours of operation of Station WTPS, New Orleans, Louisiana, now operating on 940 kc, 1 kw, daytime only to 500 w, 1 kw-LS, unlimited time and to install a directional antenna for night use;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application be, and it is hereby, designated for hearing at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the technical, financial, and other qualifications of the applicant corporation, its officers, directors and stockholders to construct and operate station WTPS as proposed.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of station WTPS as proposed and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of station WTPS as proposed would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of station WTPS as proposed would involve objectionable interference with the services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of station WTPS as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations, particularly with respect to the proposed transmitter site and the population to receive primary service.

7. To determine whether the operation of station WTPS as proposed would involve objectionable interference with station CBM, Montreal, Quebec, should that station avail itself of its permissible power as authorized by the North American Regional Broadcasting Agreement,

or with any other foreign station within the meaning of that agreement.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.
[F. R. Doc. 48-3053; Filed, Apr. 6, 1948;
8:48 a. m.]

FEDERAL POWER COMMISSION

[Project No. 5]

MONTANA POWER CO.

NOTICE OF ORDER DETERMINING ACTUAL
LEGITIMATE ORIGINAL COST AND PRESCRIB-
ING ACCOUNTING THEREFOR

APRIL 1, 1948.

Notice is hereby given that, on March 31, 1948, the Federal Power Commission issued its order entered March 30, 1948, in the above-designated matter, determining actual legitimate original cost of project and prescribing accounting therefor.

[SEAL] LEON M. FUQUAY,
Secretary.
[F. R. Doc. 48-3044; Filed, Apr. 6, 1948;
8:47 a. m.]

[Project No. 1972]

DUANE H. CURRY

NOTICE OF ORDER AUTHORIZING ISSUANCE OF
LICENSE (MINOR)

APRIL 1, 1948.

Notice is hereby given that, on March 31, 1948, the Federal Power Commission issued its order entered March 30, 1948, authorizing issuance of minor license in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.
[F. R. Doc. 48-3043; Filed, Apr. 6, 1948;
8:47 a. m.]

[Docket No. ID-1091]

FRED D. KNIGHT

NOTICE OF AUTHORIZATION PURSUANT TO
SECTION 305 (B) OF THE FEDERAL POWER
ACT

APRIL 2, 1948.

Notice is hereby given that, on April 1, 1948, the Federal Power Commission issued its order entered March 30, 1948, in the above-designated matter, authorizing Fred D. Knight to hold certain positions in The Connecticut Power Company and The Hartford Electric Light Company, pursuant to section 305 (b) of the Federal Power Act.

[SEAL] LEON M. FUQUAY,
Secretary.
[F. R. Doc. 48-3030; Filed, Apr. 6, 1948;
8:46 a. m.]

[Docket No. IT-5656]

**COMPANIA ELECTRICA MATAMOROS, S. A., AND
CENTRAL POWER AND LIGHT CO.**

NOTICE OF ORDER ANTHONORIZING TRANSMISSION
OF ELECTRIC ENERGY TO MEXICO AND
SUPERSEDED PREVIOUS AUTHORIZATION

APRIL 1, 1948.

Notice is hereby given that, on March 31, 1948, the Federal Power Commission issued its order entered March 30, 1948, authorizing transmission of electric energy to Mexico in the above designated matter; and released the Presidential Permit to Compania Electrica Matamoros, S. A., in Docket No. IT-6053.

[SEAL] LEON M. FUQUAY,
Secretary.
[F. R. Doc. 48-3042; Filed, Apr. 6, 1948;
8:47 a. m.]

[Docket No. IT-5766]

NORTHERN POWER CO.

NOTICE OF ORDER TERMINATING ORDER TO
SHOW CAUSE

APRIL 2, 1948.

Notice is hereby given that, on April 1, 1948, the Federal Power Commission issued its order entered March 30, 1948, terminating order to show cause in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.
[F. R. Doc. 48-3031; Filed, Apr. 6, 1948;
8:52 a. m.]

**HOUSING AND HOME FINANCE
AGENCY**

Public Housing Administration

DISPOSITION OF CERTAIN TEMPORARY WAR
HOUSING PROJECTS

This regulation provides for the disposition of temporary war housing projects SC-38068B and 38069B. The Commissioner of the Public Housing Administration having determined that it is not feasible to offer the temporary dwelling structures at these projects in accordance with the method set forth in § 631.4 (c) (1) (iii), 12 F. R. 6658, the temporary dwelling buildings shall be offered for sale through the combination of the offering to priority holders, non-priority holders and the advertising for competitive bids for demolition in a single fifteen day advertisement.

JOHN TAYLOR EGAN,
Public Housing Commissioner.
[F. R. Doc. 48-3021; Filed, Apr. 6, 1948;
8:50 a. m.]

**SECURITIES AND EXCHANGE
COMMISSION**

[File No. 70-1779]

MISSISSIPPI POWER CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission held at its

NOTICES

office in the city of Washington, D. C., on the 1st day of April 1948.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Mississippi Power Company ("Mississippi"), a public utility subsidiary of The Southern Company, a registered holding company and a wholly-owned subsidiary of The Commonwealth & Southern Corporation, a registered holding company. The declarant has designated sections 6 (a) and 7 of the act as applicable to the proposed transaction.

Notice is further given that any interested person may, not later than April 14, 1948 at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW, Washington 25, D. C. At any time after April 15, 1948, said declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof.

All interested persons are referred to said declaration, which is on file in the offices of this Commission, for a statement of the transactions therein proposed which are summarized as follows:

Mississippi proposes to issue an aggregate of \$1,000,000 principal amount of new first mortgage bonds to be dated as of April 1, 1948, and to mature in thirty years. The bonds are to be issued under and secured by Mississippi's present mortgage, dated September 1, 1941, as supplemented by indentures, dated September 4, 1946, August 1, 1947, and to be dated as of April 1, 1948. The bonds will be sold at private sale to institutional investors at 99½% of the principal amount and accrued interest to the date of delivery. The bonds will bear interest at the rate of 3½% per annum.

The declaration states that Mississippi will use the proceeds from the sale of the new bonds to provide a portion of the funds required for the construction or acquisition of permanent improvements, extensions and additions to its property or to reimburse its treasury in part for expenditures made for such purposes. The company contemplates ex-

penditures for property additions during the years 1948 and 1949 in the amount of approximately \$9,100,000. In order to finance the above construction program, the company will use the proceeds from the sale of the new bonds and cash on hand and estimated to be received from operations in excess of its requirements for working capital, interest and dividends. Such amounts will not, in the opinion of the management, be adequate to finance all of the construction requirements of the company during the next few years and it is estimated that approximately \$4,000,000 of its cash requirements will have to be provided from the sale, before the end of 1949, of additional securities, of a type not yet determined.

Mississippi requests that the Commission's order permitting said declaration to become effective be issued as soon as possible and become effective forthwith upon issuance.

By the Commission.

[SEAL]

ORVAL L. DUBois,
Secretary.

[F. R. Doc. 48-3024; Filed, Apr. 6, 1948;
8:51 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9587, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 10989]

IRMGARD BOXHEIMER

In re: Certificate of beneficial interest owned by and debt owing to Irmgard Boxheimer also known as Irmgard Dittrich Boxheimer also known as Miss Irmgard Dittrich. D-28-11346-A-1, D-28-11346-D-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Irmgard Boxheimer, also known as Irmgard Dittrich Boxheimer, also known as Miss Irmgard Dittrich, whose last known address is 17 A. Heidelberg Grenzhof Baden, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. One Certificate of Beneficial Interest representing 1338 units of beneficial

interest of the Copely Plaza Apartment Liquidation Trust, of \$1.00 par value per unit, said certificate numbered 63, registered in the name of Irmgard Dittrich, and presently in the custody of Steffie Hand, 84 Lemon Avenue, Arcadia, California, together with any and all rights thereunder and thereto, and

b. That certain debt or other obligation evidenced by a check drawn by Wirtz, Haynie and Ehrat, Inc., on the Harris Trust and Savings Bank of Chicago, said check dated July 20, 1939, numbered 72130, in the amount of \$14.00, payable to Miss Irmgard Dittrich and presently in the custody of H. L. Hendrickson, Trustee, 3180 Sheridan Road, Chicago 14, Illinois, and any and all rights to demand, enforce and collect the aforesaid debt and any and all accruals thereto, together with any and all rights in, to and under including particularly the right to possession of the aforesaid check,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 15, 1948.

For the Attorney General.

[SEAL]

HAROLD I. BAYNTON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 48-3060; Filed, Apr. 6, 1948;
8:48 a. m.]